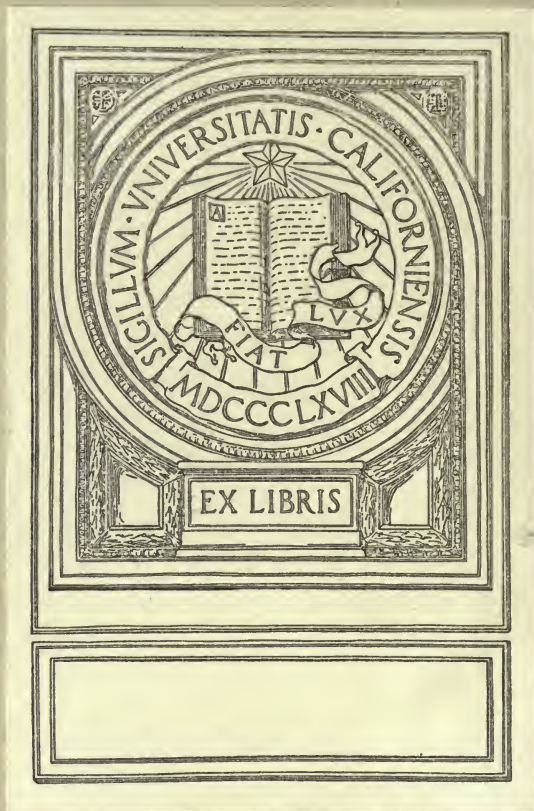


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INTRODUCTORY LECTURES
ON
THE STUDY OF HISTORY,

DELIVERED BEFORE
THE UNIVERSITY OF DURHAM,

BY
THOMAS GREENWOOD, ESQ., M.A.,
BARRISTER-AT-LAW, AND FELLOW AND READER OF HISTORY IN
THE UNIVERSITY.

[PUBLISHED BY DESIRE.]

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LECTURE I.

ERRATA.

P. 25, line 10, *for* utmost, *read* almost.

32, the marginal note should be placed at the beginning of the 11th line, "But the point," &c.

EMENDATION.—P. 10, line 14, *instead of* "such, for instance," *read* "as do such incidents"

and utility, than that to which I have had the honour to be appointed your reader. I am fully conscious of my inability to extricate myself from the dilemma. But if I succeed in conveying useful instruction to the junior portion of my auditors, I feel no doubt of the kind indulgence of those whose maturer attainments could receive little addition from any observations I am able to offer upon a subject so familiar to their studies as that of History.

The first difficulty we encounter is, the want of any precise notions of the scope and extent of the subject. In the whole range of literature, it would be difficult to point out one upon which the notions of men are more unsettled than upon that of *History*.

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I. SCOPE
AND EXTENT
OF THE SUB-
JECT.

Thus it has happened that almost every thing which can be made the subject of narrative, and much besides, has been historically treated. In this way the arts and sciences have afforded matter for historical inquiry; astronomy, mathematics, chemistry, poetry, painting, romance; districts, cities, towns, villages, even single buildings, have had their historians; nations, races, families, even individuals, have in like manner furnished materials for similar compositions: so likewise morals, religion, civilization, literature, and many other topics, have been treated in the same way. Again, subjects which are not suited to narrative have borrowed the name of history; the conduct and habits of animals for instance, every part and portion of matter, animate and inanimate, is brought within the domain of what is called *natural history*. And if, in this application of the word, we have regard only to the primitive meaning, we cannot object; the Greek word ἱστορία is derived from ἵστωρ, one having or possessing knowledge, and this again from ἵσθαι, to know; consequently History might be justly defined, not merely as the record of things done,—of deeds or of facts,—but of every thing that may be known; consequently it might be regarded as a register of facts of every description, and not as restricted to the actions of rational agents, or the events which affect human society. Thus, that which we call natural history, though a mere register of facts, would be properly entitled to the distinction conferred upon it.

Natural history included by Lord Bacon within his

And in this light it has been regarded by Lord Bacon,* in whose laborious analysis of historical list of the subjects of History. science, natural history forms the first and principal division; though it be only incidentally, and in a very limited degree, the subject of narrative at all.

But those who take this extensive view of the scope and range of History must be prepared to maintain that *narrative* is not essential to historical composition; and that mere description, or statement of fact, relative to any individual object of inquiry, is sufficient. It is obvious that Lord Bacon did not regard narrative as an essential quality of historical composition; since the compass he has assigned to the science included many subjects which are matters of description only—things which are constant and invariable in themselves, {governed by laws established by nature herself}; having for the most part no reference to time or succession, and in no degree analogous to those events which have their origin in human society. Bacon does not regard narrative as essential to Historical composition.

But though we exclude compositions of this character from the province of History, the field still remains far too extensive to be surveyed with any degree of accuracy by a single eye; the prospect is confused and disheartening—a chaos which no single mind would attempt to master or even to reduce into order. And though we consent to restrict it to such subjects only as admit of narrative in some shape But even if natural history be excluded, the scope of the science remains too large for any single mind to survey.

* De Augm. Scient. lib. ii. c. 2; Works, vol. vii. p. 105.

or other, still it is obvious that every branch of human knowledge, like the affairs of a state or a kingdom, has had a beginning, a progress—perhaps an end; and may therefore become the proper subject of narrative. Thus then we have the history of astronomy, of mathematics, of witchcraft, of the steam-engine, and of other useful or ingenious inventions. Manufactures, commerce, music, painting, &c. have all had their historians; and if the mere exposition of any series of facts succeeding each other in the order of time, or the more essential one of cause and effect, be *all* that is necessary to entitle a work to the denomination of History, it is quite clear that not a single art or science, or invention, or institution, or prevalent habit, or mode of thought and action, but must be regarded as the proper subject of historical science.

We must therefore exclude biography, and the history of arts and sciences.

Now there is no harm in all this, provided the subjects just enumerated, and a host of others which might have been added, be kept clear and distinct from that which I shall presently attempt to exhibit as the *true subject of history*, in the sense in which it is received in common language, and in general literature. The first view is all that is so very discouraging; and we shall I think find that the proper application of one or two very simple rules is all that is necessary to reduce our matter within such a compass as not to overmatch the powers of an attentive and zealous student.

Definitions. But in order to define correctly the requisite

limitations, [it is necessary to attend a little to the meaning of words. By the word *fact* we mean anything which is the subject of true statement; by the word *event*, we mean something resulting from preceding fact; it is a relative term, implying time and dependent succession. The same observation applies in a still greater degree to the term *transaction*; and this latter word moreover implies *human agency*; naked facts having no relation to time or succession cannot be matter of historical narrative; and the same may be said of the effects these facts sometimes produce; namely, such events as are beyond the control or agency of human powers; thus a general history of earthquakes or of storms, or of any other series of natural phenomena, would be at least a very questionable title for a book.] It is true that the *steps* by which men arrive at a competent knowledge of such facts and events are properly the subjects of narrative. But then those steps are the results of human agency;—they are genuine transactions. It is not therefore the particular art or science itself, but the various stages it has passed through in the course of improvement, which constitute its history.

Fact.

Event.

Transaction.

Facts having no relation to time or succession.

But though the common consent of mankind still permits naturalists, physicians, mathematicians, and artists, to apply the term History to their narratives of the progress or decline of the several subjects of their studies, yet it has still further limited the meaning of the word in common language. When in

Events not dependent upon human agency enter into history only as they affect the interests or welfare of society.

conversation we speak of History, no one thinks of applying the term to any other class of facts than that which has human society for its object, and human agency for its source, however much those facts may have been affected by events independent of the will or the control of man. According to this view of the subject, the properties of natural bodies,* the phenomena of nature,† the advance of art or science,‡ enter into History *only* as they affect human conduct, and the welfare of society,—as they serve to elucidate the progress or decline of political institutions, wealth, population and civilization.

Definition
of Diony-
sius of Ha-
licarnassus
too large.

Dionysius of Halicarnassus defines History as “Philosophy teaching by examples.” But, consistently with the view I have taken the liberty to suggest, this definition is far too large: it includes every class and kind of facts, whether directly or indirectly connected with the state of civil society; it does not strictly imply narrative at all, since the examples or events are treated merely as the instruments, not as the subject, of research. Philosophy takes her examples wherever she finds them, without much regard to the order of their occurrence; and judges of them by their fitness to illustrate the

* *E. g.* Gunpowder, steam, the magnetic needle, &c. &c.

† *E. g.* Climate, soil, atmosphere; rivers, mountains, forests, surface of the country generally; earthquakes, accretions of the coast, changes in the course of rivers, &c. &c.

‡ *E. g.* The invention of the steam-engine, improvements in astronomy, navigation, &c. &c.

lessons she desires to inculcate, rather than by their connection with, and dependence upon, each other ; which connection and dependence are however the main object of all well-written history. Again, we may observe that very many of the best historians whose works we possess lay no claim to the character of philosophers. Herodotus in one age, Froissart in another, would have been surprised at the designation ; Tacitus, and Philip de Commines, might not have objected ; Hume, Gibbon, and Voltaire, would have accepted the compliment ; but however this may be, philosophical history is *only one kind of history* ; not always the most instructive, rarely the most amusing. Gibbon's history would have been much better without his philosophy ; that of Hume very little encumbers his narrative ; Voltaire's only object is to be amusing ; and the main design of all these great writers was to tell their story well, leaving the philosophy to be extracted from it to their readers.

After all, it is the *narrative* which constitutes the charm of History. “Sunt enim homines,” says Pliny, “naturâ curiosi, et quâlibet nudâ rerum cognitione capiuntur, ut qui sermunculis etiam fabellisque ducantur.”* The naked statement of events is in itself pleasing ; if well put together, it cannot fail to be instructive. Not only the distinctive nature, but the utility of History consists in the narrative, and not *necessarily* in anything else ; the philosophy, how-

The *narrative* constitutes both the charm and the utility of History.

* Plin. lib. v. Ep. 8.

ever beautiful and instructive, is the adjunct merely, —the means, but not the end of History. And in this spirit, Cicero does not scruple to apply the name of History to the dry chronicles of Cato, Fabius Pictor, and Piso, and to those of the Greeks, Pherecydes, Hellenicus, and Acusilas*.

Definition
proposed.

I would therefore confine your historical studies to events and transactions of which men are the agents, and human society the subject; and in conformity with this recommendation, I shall propose the following short definition:—" *History is the authentic register of the social and political experience of mankind digested into the form of a narrative.*" This proposition will serve, I think, both to define the limits of the subject, and to indicate the direction of your studies. *Experience* is a familiar acquaintance with facts, and a just perception of the inferences they suggest for the direction of our public or private conduct. Consistently therefore with our definition, History aims at nothing less than the establishment of sound rules, and the suggestion of just inferences for the government of man in his political and social capacity: it supplies, elucidates, and arranges all the materials of political knowledge, and borrows from every other art or science all that may be useful to explain the events it undertakes to recount, or to render more readily perceptible the inferences and principles those events are capable of suggesting—

* De Orat. lib. ii. c. 12.

and *this*, whether it undertakes to suggest them itself or not. Hence it defies all arbitrary confinement: it wanders freely, yet sedately and thoughtfully, over the whole range of human knowledge; and, like that indefatigable insect which we regard as the emblem of sagacious and contriving industry, the historian often draws the materials of his structure from the most remote and apparently unpromising sources; and those who would confine him in his choice within any bounds but those prescribed by his own judgment and sagacity, would find his hive less amply stored, and the produce of a far inferior flavour.

Though the experience which the historian records may, and must often be useful to *individuals*, yet it is *mankind in the mass* which forms the subject of his inquiry and the object of his instructions.

The inquiries of History are directed to mankind in the mass.

He considers human events with reference to human society; so that though he should find it necessary to dwell at large upon the incidents of any individual life, it will be done always with reference to the influence which those incidents and that life have exercised upon the fortunes of society; leaving to the biographer all that is purely personal or merely characteristic of the individual, however striking or amusing such incidents may be in themselves. Regarding man as destined to live and move and have his being in society, his attention is mainly directed to those circumstances which affect him as a member of society. Thus, the progress of civil government, war and peace, the state of laws and national manners,

The historian selects public

events and
public cha-
racters.

the influence and interests of religion and its ministers, the arts of life, commerce, navigation, agriculture, and many other subjects intimately connected with the progress of public events—lay the earliest claims to his attention; and if he roves into the domain of science, it is rather for the purposes of illustration and explanation, than to bring away any substantive materials for his work. He therefore excludes biography, as far as it is the mere record of private life, because it does not immediately concern mankind in the mass; he excludes all detailed accounts of the progress of arts, science, or literature, wherever they do not assume the character of influential public events: such, ^{as do such incidents} for instance, as the discovery of the mariner's compass, the invention of gunpowder, of printing, of the Greek fire. In short, he bounds his research primarily to those events and transactions in which men are the agents, and of which human society is the subject; *he collects and arranges the social and political experience of mankind, in order to extract sound rules and precepts for the direction of his future conduct.* A steady regard to this principle introduces unity into the practice of historical research, and is equally beneficial to the writer and to the student.

He collects
and ar-
ranges the
social and
political
experience
of mankind.

II. RANK
AND DIGNI-
TY OF HIS-
TORY IN THE
SCALE OF
HUMAN
PURSUITS.

II. I have dwelt with more minuteness upon this part of the subject, because it appeared to me that the study of History, like that of every other branch of knowledge, must be very much impeded by the

want of a precise notion of *what it is* we are called upon to devote our attention to. I have done all that is in my power to indicate the direction of your studies, and to reduce them within practicable limits. I shall now endeavour to point out shortly the true *rank and dignity* of the pursuit in the scale of human attainments, and its inherent utility in enlarging and expanding your views of social improvement.

If it be true that History is the register of ex-
perience in all which concerns man in his social and
political existence, little more need be said to exalt
 it to the first rank among human attainments. Cicero,
 to whom no acquirement seemed comparable in point
 of excellence to that of eloquence, yet honours History
 with his profound reverence and his fervid admiration.
 “*Historia vero testis temporum, lux veritatis, vita*
memoriæ, nuntia vetustatis, quâ voce aliâ nisi oratoris
immortalitati commendatur?” * The greatest and
 noblest of lessons, he thought, could only be ade-
 quately conveyed by the most splendid and engaging
 of the arts. Tacitus, upon whose mind the contrasts
 of virtue and vice in the conduct of men appear to
 have made the deepest impression, assigns a severer
 but not less exalted function to History. “*Præ-*
cipuum munus annalium reor, ne virtutes sileantur,
atque pravis dictis factisque ex posteritate et infamiâ,
metus sit.” † If indeed she be—as these great men
 believed her to be—the witness of ages, the light of

Dignity of
History:
Cicero and
Tacitus up-
on History.

* De Oratore, lib. ii. c. 9.

† Annal. lib. iii. c. 65.

truth, the life of memory, the herald of antiquity, the champion of virtue, and the avenger of vice, where shall we find in the whole catalogue of science one which possesses stronger claims upon our attention? The justice of this encomium must, I admit, depend upon the truth of the high character which these writers ascribe to History. If the witness be found fraudulent, the light she sheds be the mere glare of an ignis fatuus;—if her records be the frail recollections of ignorance or cunning, or the mere echo of prejudice and party spirit, History must fall from the æthelial eminence to which she has been exalted by the wise and the good of past ages; she must sink to the rank of romance, and henceforth serve as a repertory to the story-teller, or as a thread for fine writers to string their phrases upon. The blows which have been aimed at her fair fame by modern scepticism cannot be wholly passed over. I shall hazard a few remarks upon this subject presently, to enable you to judge for yourselves, whether the charges of her adversaries have a substantial foundation, and whether you are to smile at, or to applaud, the enthusiasm of Cicero, and the reverential homage of Tacitus.

History in-
structive to
all.

For the moment, however, I shall leave her in undisputed possession of the throne inherited from time immemorial, and of a title acknowledged by the suffrage of all generations down to the eighteenth century of the Christian æra. Up to that period, the study of History was recommended as a main branch of liberal education to all; particularly to princes and

statesmen, as containing the very rudiments of their important duties. “If,” says Bossuet*, “History were useless to all other men, it would be nevertheless necessary to force it upon the attention of princes: there is no better method of displaying to them the power of passion and interest, of times and junctures, of good and of evil counsels. History is itself compounded of the very acts in which they themselves are engaged, and every thing it contains seems expressly designed for their instruction.” To a nation like ours, where every man is, by his birth-right, entitled to a share in the government of all; —where every man may, by the exercise of talent, or perseverance, or industry, for good or for evil, set up for a ruler of men, the observation of the Bishop of Meaux may be addressed with almost as much force as it was to the heir of an absolute throne. Each of us is daily called upon, as we value the stability of our political system, the permanence of our laws, the maintenance of our liberties against royal or popular encroachment, to make ourselves familiar with all the calculable operations of passion and interest; to obtain an insight into the character of the times, the tendency of junctures; and above all, of the counsels by which our country is governed, whether they be for good or for evil. History is in truth hardly less obviously designed for the education of each individual member of a free community, than it is for the instruction of an absolute prince.

To princes
and rulers
indispensa-
ble.

So also to
the mem-
bers of a
free com-
munity.

* Disc. sur l’Hist. Univ., vol. i. p. 7.

Utility of
History as a
body of
examples.

There is no argument, I think, more likely to establish the true dignity of History in well-disposed and thoughtful minds, than that which may be extracted from the common adage, "Example is better than precept." "*Pauci*," says Tacitus, "*prudentiâ honesta ab deterioribus, utilia ab noxiis discernunt; plures aliorum eventis docentur.*" The application of this maxim to private conduct is a matter of everyday practice. Every observing and well-disposed person can carry away in his memory as many examples of private life as he may have occasion for to direct his own conduct, and to enable him to imitate the virtues, and to avoid the errors of others. But History stands, in this respect, in a different, and perhaps a less advantageous position than private experience. As in the latter case the utility of the experience depends upon the strength and accuracy of the individual memory, so in the former it depends upon the fulness and faithfulness of the report. But then private experience is very largely compounded of personal observation—we are *eye-witnesses* of the examples by which we purpose to be guided; we perceive their effects, or at least we have the opportunity of sifting the evidence, and cross-examining the witnesses. But in historical testimony, such opportunities very rarely present themselves. Again, the lessons of History are of a more comprehensive character, and are not of such easy application. They do not address themselves so much to the immediate and personal interests of men, as to their remoter but not less important social interests. Yet History is to

nations what observation is to individuals ; it is the only record of national and social experience ; all the lessons society has to learn, every means men possess of comparing their present condition with the past, and gathering rules and precepts for the future, are to be sought there, and there only. Would it not then be something more than preposterous to reject the assistance of that experience in our public conduct, to which we look as the surest guide to success and happiness in our private lives ?

The power which the study of History possesses to enlarge the mind of the student, to expand his views, and to subdue his prejudices, has been highly and deservedly extolled. A man living all his life in a secluded country parish, and familiar with no greater or more important objects than those he sees around him, is incapable of forming any conception of a higher and more improved state of society than that to which he belongs. It is precisely the same with the student of mankind who refuses to receive or neglects to seek for any other information than that which may be gathered within the limited compass of a single life,—or even of a single age. He cannot hope to behold society in all, or even a few of the varied forms through which it has passed in the course of ages ; he falls inevitably into innumerable errors in judging of the conduct and motives of men, the tendency of public opinion, and the probable result of public measures. This state of ignorance is a most fertile source of inconvenience to so-

Power of
History to
enlarge the
mind of the
student, to
expand his
views, and
subdue his
prejudices.

ciety, and of disturbance to social enjoyments—hence much of that loud and confident, that insolent and brawling tone assumed by the half-informed politicians of the day ; men who, with a tenacious memory for the common-places of the hour, have no memory for what they read, if it go back to any period remoter than a yesterday's newspaper, or the last published party pamphlet. Their self-sufficiency is in exact proportion to their ignorance of the complicated structure and profound mind of the social system ; a mind differing in many respects from that of the individual man, yet demanding at every step the most careful comparison with it, in order to discover the causes of that discrepancy we often meet with between the views and tempers of a people taken individually, and their public conduct. Do we not find the noblest and the most generous aspirations, the purest and most benevolent intentions, leading by the admixture of other views and other motives, by the operation of occult forces, under-currents of public opinion, accidental passions, and weaknesses, to the ruin of a whole generation, the overthrow of order, religion, and humanity*? Nothing but the most extensive study

* *E. g.* Towards the decline of the Roman republic the love of liberty in the mass of the people led to the ascendancy of popular leaders, and the ultimate establishment of the imperial tyranny—so in England during the first half of the 17th century—so in France prior to the year 1793. A multitude of instances might be selected of the apparently inexplicable discrepancy between the private mind and the public conduct of

of the human heart in its actual manifestations can reveal to us any portion of its numberless occult weaknesses and vices; enable us to form a correct estimate of its real powers and capabilities of improvement, or point out the right method of dealing with it. All the most remarkable of these manifestations are to be found in the annals of past ages; and I will undertake to affirm that, in proportion as our acquaintance with them becomes more familiar, we shall by degrees abandon that loud, and confident, and self-sufficient tone upon political subjects, so lamentably prevalent even among the best informed classes in European society. I am persuaded that a universal and profound study of History, with the views I have just suggested, would go a great way towards obliterating political differences, by rendering our knowledge far more accurate and comprehensive, and by fostering in our politicians and statesmen a spirit of thoughtful diffidence, modesty, and accommodation, now so rarely met with in the world. Nothing so effectually subdues the vehemence of preconceived opinions as the perpetual,—and I own it—the irritating checks and contradictions they encounter in the history of the past.

It enables us to detect the weaknesses and vices, and to estimate rightly the real powers of the mind of man.

It tends to obliterate or reconcile political differences.

nations. Thus we find republican states to be the greatest and most tenacious slave-holders—the most anxious to make subjects—to hold conquests and to rule with absolute sway over the conquered.—So the Athenians.—So the Romans.—So the Italian republics of the middle ages.—So also the Confederate republics of Switzerland in more modern times.

The study
of History
corrects and
disciplines
the mind.

Every one who has proceeded but a step or two in this engrossing and elevating study, must have felt the benefit of the severe but wholesome discipline he is compelled to undergo. In every page we meet with cause enough to deplore our ignorance, to suspect our previous opinions, to detect prejudices—till the corrected and enlightened spirit takes a voluntary refuge in humble research.

III. ORIGIN
OF HISTORI-
CAL SCEP-
TICISM.

III. There has arisen in the world a class of persons who bend with extreme reluctance to the discipline of History. Their systems and theories first obtained extensive authority in France, and have since made great impression all over Europe. In their hands History has suffered such degradation as almost to threaten her expulsion from the counsels of nations. Towards the close of the last century, they made surprising progress in substituting their own speculations for her lessons; a page of the *Contrat Social* of Rousseau became of more weight than all the works of Livy or of Tacitus, of Du Thou, Mezeray Rollin, or Bossuet. The same indisposition to be guided by the experience of past ages prevails at this moment very widely in this country. It is now almost thought discreditable to a man's understanding to defer to the "wisdom of his ancestors;" and the phrase is treated not merely as an empty common-place, but as conveying a positive falsehood. But would the expression be so objectionable if we

"Wisdom
of our an-
cestors."

exchanged the word "*wisdom*" for the equivalent "*experience*?" Would Jeremy Bentham himself have as boldly rejected the *experience* of former ages as he denied their wisdom? Another distinguished champion of the great crusade against prejudices, J. J. Rousseau's use of History. Jean Jaques Rousseau, we know would *not*. No man more anxious than he to support himself upon the example, if not by the experience, of the past, whenever a reference to history offered a chance-prop to his theoretical abstractions. But the boldest attack upon the dignity of History was made only a very few years back in our own House of Commons. History, it was then said—was of little more value than a last year's almanac. I question much whether the phrase really implied all the ignominy and contempt the speaker intended; since by the application of rules analogous to those by which past events may be converted into a tolerably trusty guide for present conduct, a last year's almanac might be turned into a very useful one for the current year—always supposing the possessor *willing* and *able* to apply the necessary corrections. Here, however, lies the real difficulty in both cases. It is not given to every one to make those corrections. It is much easier to build up a system upon a few general principles, than to verify and compare many facts. It is much more satisfactory to contemplate the symmetrical exterior which such systems present, than the complicated and clumsy adaptations which experience suggests as best suited to the fluctuating wants of society, and

Modern
scepticism. /

Progress of
abstract po-
litical spe-
culation.

Speculative
principles
of J. J.
Rousseau.

the ever-varying condition of the great human family. When the revolutionary philosophers of France had established as incontrovertible and eternal truths, the maxims that *all men are born free and equal** — that *all sovereignty resides in the people*† — and that *every man ought to be his own governor*‡, it must have been mortifying to find *History* thrusting in objections, *experience* contesting each proposition, examples the most accommodating that could be selected failing in the very points they were intended to support or to illustrate. It must have been irksome to be told that the most renowned democracy of ancient times, that of Athens, possessed 350,000 slaves to a population of about 170,000 free citizens of both sexes and all ages §. When the axiom was proclaimed, and re-echoed throughout all France “the people are always just!” it could not but have been very discouraging to find by reference to history, that the people of the most

* See *Contrat Social*, liv. i. c. 4.

† *Ibid.*, liv. i. c. 7, and liv. iii. c. 1.

‡ “He must be so, or he is a slave,” liv. i. c. 4.

§ *Wachsmuth* *Hellenische Alterthümer*, vol i. part ii. pp. 32, 44. According to the census made by Pericles in the first year of the Peloponnesian war, there were 13,000 heavy-armed (citizens), 16,000 more doing garrison duty (inclusive of Metæcs), and 12,000 mounted bowmen, whom Wachsmuth does not reckon among the citizens. Accounting one in six as capable of bearing arms, this would give the number of 174,000 freemen of Athens. Conf. *Thucyd.* lib. ii. c. 13, vol. i. p. 273. Ed. Baveri.

perfect of republics—Athens again—were vain, capricious, tyrannical, and cruel—to perceive that popular governments are quite as anxious to make subjects as the veriest despot, and extremely loath to share with the conquered any of the benefits of citizenship.* The writer who followed up these abstractions with the most brilliant effect—I allude to J. J. Rousseau—was himself so struck with the numberless checks and contradictions which experience opposed to the practical working of his system, that he was compelled in express terms to limit its applicability to states where the governing body was small enough for every one to take a direct share in the sovereignty†; and thus to proclaim his scheme—what it really was,—the day dream of an ingenious political speculator.

His caution
to his fol-
lowers

Annuls his
entire sys-
tem.

But the followers of Rousseau lost sight of the parting admonition of their master. They proclaimed the sovereignty of the people with all its consequences and corollaries. The deplorable result has, I fear, not yet cured us of repeating a proposition inaccurate, if not untrue in itself; one, at least, which the people of every old and settled community cannot be too cautious in adopting‡.

But the cau-
tion is dis-
regarded—
the system
is adopted
to its whole
extent, and
leads to the
most deplorable re-
sults.

* See the conduct of the Athenians towards their subject allies,—of the Romans towards their provinces,—of the Swiss in their dependent balliages. *Zschockke Gesch. der Schweiz*, c. 64, p. 500. Ed. Aarau, 1831, 18mo.

† *Contr. Social*, liv. iii. c. 15.

‡ To the best of my recollection Rousseau himself adds this very caution. The words have escaped my memory.

The spirit
of unbound-
ed political
speculation
leads to
historical
scepticism.

The aversion of the political speculators to submit their systems to the test of past experience is easily accounted for, on the score of the intractability of history. It became necessary to pass by or to discredit facts too obstinate to be bent to their purposes—they would not submit to *her* as the “*magistra vitæ*” whom they would be willing enough to take as their handmaiden. The result of their labours, however, was a very widely spread spirit of historical scepticism which ran through society, and which is not even now much upon the decline. And as it is impossible that in the course of your reading you should not often meet with arguments and insinuations against the authority and the utility of the noble study which is to form a portion of your academical education, it becomes almost a duty on my part shortly to notice the error in question, and to point out its source.

It is customary for reasoners of this class to express the most profound repugnance for the fables and falsehoods by which History is so often disfigured, and to deplore, pathetically enough, the state of doubt and uncertainty into which they are plunged by the unfaithfulness of historians. To every human mind, they observe, some infirmities of passion or prejudice must cling; from all human knowledge large deductions must be made for the impossibility of correcting error; and from this they infer that amid the inextricable tissue of truth and falsehood, it is not possible to get at the truth with

a degree of accuracy sufficient for practical application. History, they add, thus becomes a source of error rather than of knowledge, and there is no refuge for the student but in general scepticism.

But this reasoning is extremely inconclusive; and moreover the motive of it is exceedingly plain.

The reasoning of historical sceptics inconclusive.

Admitting the premises to the full extent, acknowledging freely that in almost all history there are mistakes designed and undesigned, proceeding from ignorance and from passion, from prejudice and party feeling; yet it does not follow that it is impossible to get at the truth even in the very questions and matters to which these objections most strongly apply. But to arrive at this desirable object often requires the most diligent research, and the exercise of great talent. To take the early

It is no valid objection to the general truth of History that it requires research and talent to get at it.

History of Rome as an example; there is no period involved in doubt more profound, or in confusion more inextricable; yet by a right application of a general principle which pervades all traditions, however untrustworthy and fabulous, as to particular facts,—namely; that “such traditions do convey faithful information respecting the *primitive laws, institutions, and religion* of the people”—the indefatigable historian Niebuhr has succeeded to the satisfaction of all who have the leisure and ability to follow him through his laborious researches, in eliciting many interesting truths from the mass of traditions and fables which he has undertaken to dissect and explain.

We should try the complaints of sceptics by the disposition of the complainants for industry and research.

When you hear complaints of the unfaithfulness of History, you should first ascertain whether they proceed from persons who show a disposition to inquiry—next whether they possess the talents and the industry necessary to carry them through a laborious series of research. For surely until the objectors shall have shown, upon the most solid grounds, that *no* research, or industry, or talent can avail for the discovery of the truth, their protest can have no validity. But you will find that there are very few of the numerous class of historical sceptics who have condescended to submit their doubts to the same test as that to which *we* are willing to submit the general truth of history. When they inculcate caution, you will find them relying upon particular instances of error or of dishonesty, of which, we admit, there is ample store. The historian goes along with them in inculcating caution. But here, as in the ordinary mode adopted by sciolists in dealing with general maxims, they push a salutary principle to the extreme, and convert it into a pernicious absurdity; for what greater practical absurdity can be imagined than the plunging into scepticism as a refuge against uncertainty?

We reply that after all deductions are made for error, credulity, and fraud, there remains behind a rich fund of experience.

If the objectors had contented themselves by telling us that we cannot hope to get at the *whole truth*—that there is much uncertainty in historical detail, much fraud and falsehood in individual writers;—many errors incident to particular states of the public mind which infect the annalist as much as they infect the age in which he lived;—that we should be wary and

cautious in examining the statements of party men; in scrutinizing documents which come out of suspected custody, and in guarding generally against the ignorance and prejudices of historical writers,—we should have offered no contradiction. But we affirm that, after all these deductions are made—after rejecting all that is manifestly false or unfair, and setting down a great deal more as doubtful, there remains a vast fund of truth, a rich treasury of experience, to answer the ^{al} utmost unlimited drafts of the historical, political, and moral philosopher.

The great question between the believer in history (if I may use the term) and the sceptic, has played a very serious part in the affairs of the world within the last half century. A large class of political reasoners resolved upon treating politics without reference to experience, and reforming the world without asking counsel of History. They regarded man in the light of a creature possessing reason and claiming certain rights. But they in a great degree neglected *the other half of his nature*: after some general admissions, they in substance chose to forget that he is also a creature with many passions, and therefore often doing wrong. They did not choose to observe that his passions and desires are the moving forces in all his actions; that reason is only the directing power,—a power, as far as men *in the mass* are concerned, always subordinate, sometimes wholly impotent. Hence it happens that writers of this class, instead of beginning by checks and con-

The historical sceptics treated politics without reference to experience.

They mistook the character of human nature.

Neglected all those checks by which his evil passions might be controlled and his reason strengthened, and thereby plunged society into anarchy and disorder.

trols, exhaust themselves upon speculative rights, neglecting positive and practical wrongs. Viewing things in this light, it is not to be wondered at that they should have formed extravagant notions of the dignity of human nature and of the inherent virtues of the human character;—that they should have despised and neglected in their several systems all the necessary coercive checks by which the predominant evil principle might be restrained, and the directing power strengthened and elevated. And hence it happened that in the perilous attempt to carry their theories into practice, all the ancient bonds of society were torn asunder, and anarchy of the most appalling character introduced. The most zealous of these speculators became the earliest victims of their own refinements; and to the rest no refuge presented itself but in the coarse and vulgar expedient of military despotism.

History alone can furnish us with the information requisite to avoid this fatal error.

Nothing of this could have happened had they condescended to consult the experience of mankind as recorded in the history of past ages. It is from History alone that we derive our knowledge of that important half of human nature which they omitted out of their calculations—it is from a diligent study of History alone that we become familiar with the *practical* working of the human character, as manifested in the mass of mankind; and it is only by regarding that character under this aspect that we can expect to obtain sound practical rules for the establishment of any beneficial scheme of social polity.

IV. But after exposing to the best of my ability, what I believe to be the errors of *historical sceptics*, and their practical consequences, it may be expected that I should at least notice the grounds upon which the cause of *historical truth* mainly rests. I begin by adverting to the principal sources of *error*. These may be conveniently arranged in three classes: 1. The adulteration of truth by the admixture of fable: 2. The effects of prejudice, passion, and party spirit; and 3rd. The errors of ignorance, credulity, and conceit.

IV. SOURCES
OF HISTO-
RICAL ER-
ROR AND
GROUNDS
UPON WHICH
THE CAUSE
OF HISTORI-
CAL TRUTH
RESTS.

1. With regard to the first cause of error, namely, *the adulteration of truth by the admixture of fable*, we may remark that it principally affects the primitive ages of the world, and the periods antecedent to the rise of letters, when all that could be known of former ages was contained in popular traditions and the lays of poets. These ages have been generally, though I think wrongly, called the *unhistorical* periods. The distinction—and it is a very marked one—between *fable* and *falsehood* has been often overlooked. In the most fabulous traditions, provided they are genuine traditions, there is generally a very distinguishable foundation of truth. The poems of Homer are made up of such traditions; and though the incidents they recount, taken as naked facts, cannot be too cautiously received, yet even in this respect they are not without their historical value. But view them in another light, and they assume a much higher degree of importance in the eye of the historian. They

1. Adulteration of truth by the admixture of fable.

Fable not falsehood.

Fable highly instructive as to the state of laws and government, morals, arts, and religion of the nations among whom it has sprung up.

offer a living picture of the primitive condition of the most interesting nation of antiquity; they present us with much curious and instructive information upon the state of laws and government, of morals, arts, and religion among the old Hellenic tribes. Indeed the works of Homer, together with those of Hesiod, the Orphic poems, and a few other sacred lays, may be regarded as the sacred canon of the Greek polytheism*. And indeed however little we may be disposed to rely upon *mere traditions* for specific facts or classes of facts, we cannot avoid perceiving that they stand in a very different position with respect to the two most important interests of society, namely, *Government* and *Religion*. The Mythic traditions of Greeks and Romans, of Egyptians, Persians, Hindûs, Chinese, and many other nations, often point with surprising distinctness to the origin of laws and public institutions; they absolutely identify themselves with the *religion* of the people, and we may generally rely upon them for a tolerably correct estimate of the moral, intellectual, and political state of the society to which they relate. I have already observed that one writer at least has made an admirable use of this observation to introduce light and order into the primitive history of the most renowned nation of antiquity†.

* So at least they were regarded by *Herodotus* (Euterpe, c. 53, p. 153. Ed. Reiz. Oxf. 1814.) See also *Mitford*, vol. i. p. 68. 4to. edit.

† See p. 25.

2. As the admixture of fable is the principal difficulty we encounter, in investigating the earlier stages of society, so there is scarcely any period in which the purity of History is not in some degree contaminated by *passion, prejudice, and party spirit*. This source of error, however, flows most abundantly in those turbulent periods when the minds of men are thrown off their balance by violent political or religious differences. In such times the progress of inquiry is not only impeded by misstatement, distortion and suppression of fact, but by inventions and forgeries injurious to the credit of the most important and indispensable documents. Thus, during the age of the Gnostic and Arian controversies, we are importuned by spurious gospels and epistles forged for the support of party dogmas: again, during the struggle between the papacy and the metropolitan bishops, which took place very early in the middle ages, the forged decretals imputed to Isidor of Seville were brought to light, for the purpose of exalting the papal prerogative upon the ruins of the archiepiscopal jurisdiction.* In like manner, during the contest about investitures, and in the course of the long struggle between the spiritual and secular powers for temporal dominion, we meet with the forged donations of Constantine, forged rescripts of Roman emperors, and a variety of other spurious documents, which the Church of Rome put forward as the title deeds of her usurped dominion.

2. Errors arising from passion, prejudice, and party spirit.

Misstatements, distortion, and suppression of facts. Forgeries.

* *Schmidt's Hist. of the Germans*, vol. ii, p. 674. Ed. Ulm. 1785.

Forgeries
far less pre-
judicial
than mis-
statements
and sup-
pressions.

But these inventions and forgeries are far less prejudicial to the general truth of History, than the misstatements and suppressions we have constantly to contend with in more authentic documents. When a forgery is fairly proved, we are at liberty to reject it at once, as evidence of the particular facts it was intended to support. It is not so that we can deal with the misrepresentations of passion, prejudice, and party spirit, as observed in the writings of professed historians. Here we have to separate matter of fact from matter of opinion, to sift each statement by itself, to supply omissions, to reject that which is inconsistent or improbable, and, if possible, to restore the integrity of the series of events. This is an exceedingly difficult and delicate task, and the skilful performance of it is perhaps the greatest merit of the historian.

How to de-
tect mis-
statements
and sup-
pressions.

It is one thing to detect error, another, to find out the truth. We have at present to do with the former only. There are two precautions which seem to me quite sufficient to protect us against

1. *Allow* for
the preju-
dices of the
age and of
the writer.

deception. The *first* of these precautions is to observe carefully the temper of the times, and of the particular annalist upon whom we rely. There is generally no great difficulty in discerning the bias of inclination or opinion, and in making the necessary allowances. The particular class of facts for which any given writer may be trusted, is then easily distinguished from that in which it would be dangerous

2. Compare
all extant

to take him at his word. The *second* precaution

consists in a diligent comparison of *all* the extant documents which treat of the same transaction, wherever that transaction is disputed or disputable in any particular. By the due observance of these rules, we may not only avoid mistakes of many kinds, but cannot fail to collect a vast store of facts, free from those imputations to which the very authorities from which we derive them may themselves be liable.

documents
relative to
the same
transaction.

Finally,—In replying to those who object to the general credibility and utility of History, I may advert to an argument by no means unlikely to make an impression upon inadvertent readers. “If,” they ask, “historical testimony be acknowledged to be contaminated by fraud, falsehood, and forgery, how can we tell what to believe? Again: they observe, that a witness who in any one instance tells a wilful falsehood discredits the whole of his evidence, and that then we may with propriety reject all he has said.” Though it be admitted that, in the ordinary practice of courts of justice, this is a safe rule; yet even there it may be carried too far and work injustice. But we contend—and contend boldly, that it is not applicable to historical documents, to anything like the extent proposed by the objectors.

There is no ground for disbelieving even the most corrupt testimony, where the fact deposed to makes against the interest of the witness, or where he is indifferent, or where he is obviously ignorant of the bearing of his own statements. Now as courts of justice try only single issues, the very mode of

But these very frauds, falsehoods, suppressions, and forgeries, are in themselves historical facts of the utmost importance.

They point out the effects of false opinions and impressions upon the welfare of society.

proceeding so greatly narrows the credibility of a biassed witness,* that judges and juries often find it most convenient to reject such evidence altogether. But History involves many issues of fact of very different descriptions; and it would be imputing such an abstract love of falsehood, as is not to be found in human nature, to affirm, that because a man will tell a lie upon one point, he will do so on every other, without a motive and without advantage to himself.

But the point in which both objectors and advocates must agree, is, that the errors of historians are in themselves true substantive facts, and facts too of the utmost importance. The writer is bound to collect and register them, not merely as a measure of precaution, but as a means of elucidating the character and explaining the conduct of men, and of pointing out the effects of false opinions and impressions upon the fortunes of ages and nations. Thus it often happens that the mere *truth* of an alleged fact is of far less importance than the motives which prompted the allegation, and the credit which it obtained in the world. The belief, for instance, in the pretended donation of Constantine to the Roman Church, so prevalent during the dark ages, gave considerable

* A witness can come prepared to support by falsehood any single issue; he may affirm and deny what he pleases, with much greater boldness than where he undertakes to state a great variety of facts; and it is the ordinary practice in cross-examination, to lead a suspected witness into extraneous detail, for the purpose of trying his veracity.

strength to the papal claims. So likewise the belief in false miracles, pretended inspiration ; in the re-advent of remarkable persons, as Sebastian of Portugal, the emperor Frederick Barbarossa, Richard duke of York ; in witchcraft, alchemy, astrology ; in fabulous descents, invented to support unfounded claims to sovereign authority, and a vast number of other delusions, by which the minds of writers and readers were equally swayed, *belongs to the most remarkable historical phenomena* ; and the effects it brings forth disclose, with the greatest vividness, the most important phases and forms of public opinion. How much may we not learn from the mutual slanders of party men ? From the calumnies of faction, and the falsehoods obviously invented to throw discredit upon opponents, or to ruin individual character ? In modern times, the lie of the day often produces a powerful effect upon public conduct. In most of these instances, it would be a mere waste of labour to inquire into the truth of the alleged facts themselves ; since their *whole* importance consists in the insight they afford into the state of the public mind, and the causes of public events.

They disclose the forms and phases of public opinion.

3. The last source of error to which I shall advert, is *ignorance*. Now *simple* ignorance would have no worse effect than that of leaving us in doubt and uncertainty. It manifests itself by silence upon points of importance to the narrative, by confusion and want of connection, by a poor and dry and uninteresting style. Pliny somewhat hastily observes,

3. Errors of ignorance and conceit.

The historians of the middle ages afford many instances of these defects.

that “History however ill-written is always agreeable.” I am willing to submit this proposition to the judgment of those who have been compelled to wade through the monkish chronicles of the middle ages, where if the bushel of chaff yield the two grains of wheat, the harvest of facts must not be regarded as below the average. But as far as these documents go, they are generally correct; they therefore afford considerable assistance in determining dates, and in verifying many important transactions, drawn from other and perhaps less authentic sources. Yet even these meagre and uninformative registers are often tainted by credulity, and disfigured by the most laughable conceit. The annalists of a half-learned age are peculiarly liable to these defects. The *consciousness of ignorance* produces a constant effort to swell out their scanty stock of facts by the assistance of vague and unmeaning traditions, by attempts to reconcile what the writers know with what they hear, and to bring fable and fact into an unnatural alliance. The early historians of France and Germany, of England and Scotland, abound in specimens of this mixture of ignorance, credulity, and conceit. The best of them, such as Jornandes, Paul Warnefrid, Gregory of Tours, Witichind of Corvey, the *Chroniques de St. Denys*, Matthew Paris, are by no means free from these defects; the rest irritate and weary and disgust the reader by turns, so that nothing but the stoutest determination can suffice to carry him through his task. This is indeed the

Sahara of literature ; few are the adventurers who dare to traverse it, and none but the strongest literary constitutions can withstand the privations and fatigues which it entails upon them.

But even where ignorance cannot be charged, credulity and conceit sometimes make their appearance. Even Livy himself may not unfairly be accused of giving currency to many fables, and with adorning the history of Rome with many stories which he himself did not believe. Dionysius of Halicarnassus, Diodorus Siculus, and Plutarch, are frequently very credulous ; they adopted every attractive fable ; and instead of drawing from them the instruction they were capable of yielding, chose to treat them as matters of fact, and to expend their ingenuity in the vain attempt to arrange, and reconcile, and bring them into some kind of historical congruity.

Livy, Dionysius of Halicarnassus, Diodorus Siculus, and Plutarch, are not free from credulity and conceit.

I shall now entreat your attention to a short plan of preliminary study, intended as an introduction to historical reading.

The object of this plan is to furnish you with the apparatus necessary for the understanding of the oldest and most venerable of all historical monuments, the *Hebrew Scriptures* ; and after that, to put you in the way of deriving the utmost benefit from the Greek and Roman historians, which will of course form a very considerable portion of your classical studies.

It is a principle of English law that every statement of fact shall contain a distinct indication of

Chronology

time and place. The precept is equally applicable to History. The events of past times can no more be fitted for their proper use without the accurate determination of the *times when*, and the *places where* they occurred, than the material facts of a declaration or an indictment. In both cases the inferences must, in a great degree, rest upon the precision with which these two points are ascertained. Your attention, therefore, must, in the first instance, be directed to the elementary studies of *Chronology* and *Historical Geography*.

Elementary works upon these two subjects are much wanted. I am acquainted with but one work in the English language which can be made to answer the purpose of a *manual* to the junior student. The book I allude to was printed for the first time about twenty years ago. A second edition, with considerable additions, appeared in the year 1830.

It is entitled

1. A New Analysis of Chronology and Geography, History and Prophecy, in which their elements are attempted to be explained, harmonized and vindicated upon scriptural and scientific principles, &c. By the Rev. *W. Hales*, DD., Professor of Oriental Languages in the University of Dublin.

This very learned and elaborate work is printed in four rather thick octavo volumes. The second and third volumes comprise a complete chronological analysis of Scripture History, both of the Old and

New Testament. The fourth volume treats of Ancient Profane History, but touches only incidentally and partially upon that of Greece and Rome. But it is to the *first volume alone* that I would primarily direct your attention. That volume contains the elements of *Technical* and *Historical* Chronology, and of *Ancient Geography*, with a series of twenty-two tables of astronomical, civil, and historical periods and computations in use among the Ancients, Greek, Roman, Syrian, Persian, and Egyptian; to which the author has added a table of the years of the Hejira or Mahomeddan period. The treatment of the chronological portion is more full than that of the geographical. It did not enter into the plan of Dr. Hales to furnish a complete system of Ancient Geography; he has therefore confined himself to those countries most connected with Scripture History, namely, Armenia, Egypt, Ethiopia, Palestine, Phœnicia, Assyria, Medea, and Persia. But as far as it extends, the treatise is very compact and clear.

Thus the only work in the English language which I am at present prepared to recommend is defective in the two most essential portions of ancient historical geography, namely, that of Greece and Italy. The chronology of *profane* History contained in the fourth volume is confined in the same way to the Oriental nations. The Greek and Roman computations are treated solely with reference to Scripture History, and not as distinct subjects. Still, such as they are, they are very useful, and in the conjunction in which they stand indispensable.

For the best compendium of the ancient modes of computation in use among the Greeks and Romans, I must refer you to the celebrated,

2. Art de verifier les Dates,
published by that truly admirable and profoundly learned society, the Benedictines of St. Maur, and completed and published by them about ten years before the ruthless revolution put an end to their labours. The learned world cannot be too grateful for this invaluable acquisition, in which learning, modesty, candour, and indefatigable industry, are more conspicuous than in any contemporary work.

The book was originally printed in three folio volumes; a fourth was published in 1820, from MSS. left behind him by Dom. Clement, one of the editors of the great work. This volume contains the Synopsis of *Ancient History*; the original was restricted to the Christian era, and terminated at the death of Louis XV., in the year 1774. In the whole catalogue of books of reference, there is none more convenient and more agreeable. But in the first instance, your attention will be directed to the copious and beautifully arranged *introductory essay*. It is true that this essay was originally composed for the purpose of illustrating Chartularies, Chronicles, and other ancient documents relating to the periods subsequent to the Christian era; but the task has been performed with so much ability as to render it equally useful to the students of Ancient and of Modern History. It consists of an explanation of many different epochs, eras, cycles of time, and modes of

computation in use among the Greeks and Romans, together with all the various methods of dating which arose upon them during the middle ages. The preliminary volume (that which relates to the period preceding the birth of Christ,) contains an elementary dissertation upon the Julian period, the vulgar era, the eras of Nabonassar and the Seleucidæ, &c., together with an invaluable table, in which almost all these different eras, cycles, and modes of computation are so arranged as to show any date of any given system in terms of any other. In the first volume of the original work, the table is calculated down to the year 2000 of the vulgar era. These two treatises are indispensable to the historical student; they are short, clear, and entertaining, and may be mastered within the space of one academical year without difficulty. He will immediately perceive their importance to the understanding of the elements of Sacred and Profane History—therefore both to his scriptural and his classical studies. To those who have not arrived at a sufficient knowledge of the French language to read them in the original, I may recommend an extract from them lately published by Dr. Lardner in his *Cabinet Cyclopædia*, entitled

3. The Chronology of History, containing tables, calculations, and statements, indispensable for ascertaining the dates of historical events, public and private documents, from the earliest periods to the present time, by *Sir Harris Nicholas*.

This work contains many useful tables; but the

student would do best to refer to the original from which it is compiled.

But by far the most complete and scientific introductory treatise upon Chronology, is that of Professor Ideler, Astronomer Royal of the King of Prussia. It is entitled

4. A Manual of Mathematical and Technical Chronology, collected exclusively from the works of original writers. By Dr. Louis Ideler.

The work has, I believe, been translated into French, but not hitherto into English. The reputation of Dr. Ideler for solidity of learning and clearness of arrangement stands at the highest point. The editors of the preliminary volume of the *Art de verifier les Dates*, have inserted an essay of this author upon the linear and superficial measures of the Ancients, in the introduction to that important work. The *Manual* consists of two divisions. The *first* treats purely of Astronomical measures of time, and the mathematical principles which may serve to rectify and reconcile all other merely customary or arbitrary computations. The *second* part consists of treatises upon the civil and historical modes of computation in use among the Egyptians, Babylonians, Greeks, Macedonians, Syrians, and Hebrews. He then proceeds to those of the Romans, Christians, Arabs, Persians, and Turks. The only defect in the work is the omission of the Eastern Asiatic systems of Chronology, and in particular those of the Hindûs and Chinese; for which omission he apologizes in the preface, and puts it upon a ground which the

thoroughly learned will readily understand: namely, his ignorance of the languages of those countries, and the impossibility of arriving at a satisfactory acquaintance with the subject without the power of consulting the original writers.

To those who are sufficiently familiar with the German language, I should recommend the perusal of the introduction to Professor *Wachler's*

5. Manual of Historical Study, for the use of academical students. Fifth edition.

With respect both to Chronology and Historical Geography, this is by far the most compendious treatise I am acquainted with. It contains references to a vast mass of works in every branch of historical knowledge; most of them are, however, in German or in French. It is really melancholy to contemplate the paucity of English works upon matters connected with the study of History. With the exception of Dr. Hales's work, we have not a single elementary treatise which could be recommended to the attention of beginners or learners. Our chronological tables are very defective in almost every respect. France abounds in works of this nature. Their treatises are succinct, clear, and agreeably written; their tables are copious, generally well arranged, and extremely methodical. But after all, we must resort to the Germans for the soundest and most systematic discussion. The diligence of their writers is unrivalled; their acquaintance with their subject is almost universal; their zeal for the

cause of learning renders them regardless of labour, and patient in research; and their power of compression is unrivalled. It must, however, be admitted as some abatement to their practical utility, that their profundity sometimes verges on obscurity—at least so it appears to the foreign student who is unaccustomed to their peculiar modes of thought and expression. I cannot help thinking that their love of system too often seduces them into distinctions and refinements which rather incumber than elucidate their arrangement. They always lay claim to the most concentrated attention: they take it for granted that the zeal of the student is equal to their own, and that he is willing to bestow an amount of labour in making use of their instructions commensurate to that they themselves had expended in preparing them*. But here our strictures must end. No literature in Europe rivals that of Germany for copiousness and extent of research; for the great breadth of treatment, the variety and extent of the prospects disclosed to the student, and the almost unlimited choice of views they offer to his acceptance.

For the use of those who wish to plunge more deeply into the depths of chronological research, I shall enumerate a few of the most celebrated treatises.

In English and Latin—

1. *Sir I. Newton's* Chronology of Ancient King-

* They are of Rousseau's mind—"Je ne sais pas l'art d'être clair pour qui ne veut pas être attentif." Cont. Soc. liv. iii. c. 1.

doms, amended; forming the 5th vol. of his collected works.

2. *Archbishop Usher's* "Annales Veteris Testamenti," published in 1650 and 1654.

3. *Fasti Hellenici*. The civil and literary chronology of Greece, from the earliest accounts, to the death of Augustus. By H. Fynes Clinton, Esq. In three vols. 4to. A work of profound learning and research, got up with a typographical splendour and beauty rarely surpassed.

4. *Scaliger's* great work "De Emendatione Temporum," and his "Thesaurus Temporum;" of both which works there are several editions.

5. Bishop *Beveridge's* *Institutiones Chronologicæ*; several editions.

6. *I. G. Frank's* *Nova Systema Chronologiæ fundamentalis*. Göttingen, 1778.

The best chronological tables in the English language are—

1. Blair's Chronology.

2. Playfair's Chronological Tables.

In French—

1. *Bury de Longchamp's* "Fastes Universels," a wonderfully copious storehouse of political events, and literary and philosophical history; pretty well arranged, and of easy reference.

2. *Le Sage's* *Atlas Historique, Genealogique et Geographique*, lately published at Paris. This work contains a great number of tables synchronistically arranged, so as to exhibit contempo-

aneous events in parallel columns. It also shows the geographical positions, the changes and revolutions of nations, in a series of maps answering to the most remarkable historical epochs.

In German—

Kruse's Atlas, or Synoptical View of the History of all the European Nations and States, from their first settlement down to the present times. The last edition was published at Halle in 1827. This is by far the best synopsis of chronology and historical geography I have any knowledge of. It is beautifully simple and comprehensive, and of exceedingly easy reference. It is furnished with very good maps, exhibiting the changes and revolutions of nations, from the downfall of the Roman Empire down to the peace of Paris in 1814. But it is not so copious in chronological detail as Bury de Longchamp's, or Le Sage's.

Historical Geography, as a subject of practical investigation, has been treated by a great number of writers. I shall first enumerate those whom I consider most accessible and most easy of reference. The first in order to the English reader, are—

1. A Geographical and Historical Description of Ancient Greece, with a Map, &c. By the Rev. *I. A. Cramer*, M.A., late student of Christchurch. In three volumes.
2. A Geographical and Historical Description of

Ancient Italy, with a Map and a Plan of Rome.

By the same Author. In *two* volumes.

3. A Geographical and Historical Description of Asia Minor, with a Map. By the same author. In *two* vols.

The three maps attached to this elaborate, useful and agreeable work, are beautifully executed, and upon a very considerable scale. We cannot but hope that the learned and industrious author will extend his researches to those regions of the ancient world which remain to complete a system of Ancient Geography, of which the literature of this country would have good reason to be proud.

4. The Elements of Historical Geography in the work of *Dr. Hales* already referred to.
5. Recherches sur la Géographie Systematique et Positive des Anciens, pour servir de base à l'Histoire de la Géographie Ancienne. Par *P. F. T. Gosselin*, de l'Institut de France. In four volumes 4to., from 1799 to 1813.

The work of Gosselin does not lay claim to the character of a complete system of Ancient Geography. But it is a book of great authority in determining the character of the different geographical systems of the ancients, particularly those of Hipparchus, Strabo, Ptolemy, Polybius, and others. The indices are very good, and the work is accompanied with a complete collection of maps, exhibiting the erroneous conceptions of the ancients relative to the trending of the coasts, the course of rivers and

mountains, side by side with the rectified outlines of the coasts and the true directions of rivers and mountains, as ascertained by more modern research. In all that concerns the History of Ancient Geography, and of course in many of its details, this may be regarded as the standard work.

But by far the most extensive body of Ancient Geography is that of Professor *Mannert*, in the German language. It is entitled

6. Geography of the Greeks and Romans, in ten volumes, usually bound in 14 vols.

It contains a full account, general and particular, of all that is known to us of the ancient world, collected from the works of the Greek and Roman geographers, historians, and poets. Professor Mannert is esteemed among his countrymen, not only for his laborious and useful researches, but for the clearness of his arrangement, the excellence of his method, and the acuteness of his criticisms. I have had very frequent occasion to consult this work, and I may say I was never disappointed. Dr. Cramer is in some respects fuller upon Greece, Italy, and Asia Minor, but certainly not more clear or more methodical than his great predecessor in this branch of study. Mannert employed forty years of his life upon this vast undertaking. He is well known for other historical and geographical productions, particularly for an admirable edition of that singular monument of Ancient Roman Geography, the *Tabula Peutingeriana*. The "Geography of the Greeks and

Romans" ought at least *to be brought under the notice* of every historical student.

I abstain from referring you to any of the older and more elaborate treatises on Historical Geography, such as Cellarius and Cluver, Rennell and Vincent, because I believe you will find in the authors already named quite enough for your present purpose, which I presume to be restricted to the study of scripture history, and of the classical writers of antiquity. At a future period I hope to lay before you a much more complete body of historical literature. I shall conclude this list of elementary works, by enumerating a few of the best collections of maps of Ancient Geography. Those most used in the universities of England are—

1. *Smith's Ancient Atlas*, comprising distinct maps of the countries described in Ancient History, both sacred and profane. Published in 1809.

2. *Brué's Atlas Universel de Geographie Ancienne et Moderne*. Lately published at Paris.

The whole work consists of 65 maps beautifully executed, only 14 of which are dedicated to the ancient world. But it contains *two maps* of great utility. The first is *A Map of the World known to the Hebrews*, which is an attempt to embody the Mosaic description of the dispersion of the nations after the deluge, in the shape of a chart. The materials are taken chiefly from the 10th chapter of Genesis. The second is a *Map of the Empire of Charles the Great*, or Charlemagne.

3. Blair's Chronology also contains a series of ancient maps. But the two first-mentioned atlases are the best.

To those who desire to add a course of reading in Ancient History to their classical and biblical studies, I cannot recommend any better text-book in the English language than

1. *Rollin's* Ancient History in the English translation ; but they may substitute
2. *Bossuet's* Discours sur l'Histoire Ancienne. A very compendious work, but agreeably written, and furnished with references and dates throughout ; a pains which the French writers do not often take. Or,
3. *John Von Muller's* Universal History, in the English translation. But this work seems to me too recondite and metaphysical for an elementary text-book of general History.

The student, in reading these works, should have by his side the *Art de verifier les Dates*, or Dr. Hales's work, and studiously compare the dates assigned with the chronological system of those learned writers. He should pass over no portion of History without making himself thoroughly acquainted with the countries in which the events recorded took place. And to that end, he should have the map always by his side.

On the next occasion I hope to be able to lay before you some considerations on the *Method of Historical Investigation, the Laws of Historical Evidence*, and those critical rules by which the historian him-

self must be guided, and by which the reader of History ought to judge of the works of others. These may in time be followed up by a series of readings upon the most distinguished periods of general History. Your attention will then be solicited chiefly to *the original writers*—the sources, as the Germans call them—and their critical examination—to the *philosophical character* of each period; that is, its tendency to promote or to retard the progress of mind, manners, government, laws, literature, and religion. These several portions or periods will be accompanied with a *list of original or primary authorities*, and of such *secondary or merely auxiliary* matter as may be needful to exhibit as complete a body of study as possible. Indeed the perusal of original works cannot be too earnestly recommended. Second-hand knowledge, like all second-hand wares, will seldom bear the wear and tear of practical application: it soon exhibits rents and chasms where we least expect to find them; and we are often compelled to repair it at great cost of time and labour, by resorting at last to the very storehouses from which we ought at the outset to have fetched our materials.

LECTURE II.

Introduc-
tion.

IN the course of the preceding Lecture, I expressed my intention to lay before you some reflections—I. Upon the *Method of Historical Investigation*, and the *Laws of Historical Evidence*: and—II. Upon those *critical rules* by which the historian himself must be guided both in his own compositions, and in judging of the works of others. On that occasion I likewise alluded to a plan for a series of readings upon the most distinguished periods of General History, with reference to the *philosophical character* of each period, or,—as then explained,—its tendency to promote or retard the progress of mind, manners, government, laws, literature, and religion. I shall, therefore, append to this Lecture the necessary outline of subjects and periods, confining myself, in the first instance, to *Ancient History*, commencing with the patriarchal ages, and terminating at the revival of the Western Roman Empire by Charles the Great, in the last year of the eighth century of the Christian era.

I. METHOD
OF STUDY—
LAWS OF

I. In the first place, then, permit me to call your attention to a few remarks upon the *Method of His-*

torical Study, and the Laws of Historical Evidence. HISTORICAL EVIDENCE.

The sources from which we derive our information of facts and events are so exceedingly numerous, that, if for no other reasons, yet for *this* alone, order and method become absolutely necessary. We must distinguish that information which is positive and direct, from that which is merely incidental and confirmatory—that which is original or contemporary, from that which is borrowed and secondary. Thus we often derive important assistance from antiquities, coins, inscriptions, literary anecdotes and occasional allusions in works of a non-historical character, though, without other sources, we should never be able to make up from them a history of the periods to which they belong. We therefore regard these incidental notices (valuable as they undoubtedly are) as confirmatory evidence only; without denying that they do occasionally supply single links in the chain of events of great importance to the connexion and consistency of the narrative. But for the present it would lead us too far out of our way to discuss the mode in which these helps to historical investigation ought to be made use of, our attention must therefore, in the first instance, be confined to professed *Annalists* and *Historians*.

Writers of this description are divisible into *two* classes of very different character and value. The *first* class we distinguish as original authorities, and they consist first of eye-witnesses of events they record; and secondly, of actors in the transactions they

1. Different character of the sources as to genuineness and authenticity.
2. Incidental information :
 - a. *Antiquities.*
 - b. *Coins.*
 - c. *Inscriptions.*
 - d. *Literary Anecdotes.*

1. *Original authorities.*
 - a. Eye-witnesses.
 - b. Actors.
 - c. Contemporary or

such as lived nearest to the period in contemplation.

2. *Professed compilers.*

Reasons for preferring original authorities to those which are derivative.

narrate, or lastly, of those who lived nearest in point of time to the ages in which the events occurred, and may therefore be supposed to have possessed the best and most authentic sources of information with regard to them. The *second class* consists of *professed compilers*, or such as derive the materials of their story from others, and put them together with more or less talent, industry, and fidelity. These persons we cannot help regarding in the light of hearsay witnesses, and of using them therefore with those precautions which that kind of evidence demands.

Men of independent habits of study naturally give the preference to the former class. But as many original works are written in foreign languages, or in an obsolete and difficult style, or in a dry, perplexed, and uninteresting manner, the mass of readers is generally very grateful to the compiler who will undertake the toil of reducing them to a readable shape. But you, gentlemen, are *students*, and the very name you assume imports that you will not be satisfied with skimming lightly over the surface of a subject, particularly of one which connects itself so closely with the ministry of the gospel, the service of your country, and the dispensing of sound learning and religious education to those who shall come after you. For this reason it is that I wish to call your attention rather to the original sources of historical knowledge, than to those which are merely derivative, however valuable they may be. What that value is I shall presently take occasion to point out to you.

I do not mean to conceal from you that original investigation is a difficult—nay, in some cases—a discouraging task: that it requires perseverance, industry, assiduity and thoughtfulness: exertion of memory and a power of comparing, combining and connecting, which cannot be attained to without a good deal of practice and zeal for the study. We often find that what we always believed to be true is in reality unauthentic—doubtful—false. There is in the best of the original historians so much to disappoint expectation,—so much that, without close examination, leads to error,—so much is left without explanation, because in the age to which the writer belonged and for which he wrote such explanation was not requisite, that the sanguine reader will often be induced to turn away from them in mere vexation, or to read on for amusement rather than for instruction. I have heard very intelligent, and even learned men complain of this kind of disappointment or dissatisfaction; and I have observed that it frequently induces even thoughtful readers to regard History in the light of a great romance with rather more truth of particular colouring and perhaps of incident—(thus much they liberally concede where it agrees with their own observation and experience)—than is usually found in that species of composition. The beauty of the style, the talent of the author, his diligence as a compiler, the ingenuity of his arrangement, the acuteness of his criticism are admitted and admired; but the abstract *truth* of *his facts*, and the

Difficulties
of original
investigation.

Disappointment.

Weariness.

lessons of experience which they ought to inculcate, are neglected, because the reader does not regard them *as matters of experience*, or because he prefers a state of supercilious doubt to the trouble and fatigue of investigation. Hence it happens that when

Scepticism.

tempted for a moment into the path of inquiry, doubt, instead of the regulating, becomes, as it were, the moving, force of his mind, and the machine of course soon stands still.

To obviate these difficulties inquire into the age in which the author lived and for which he wrote.

A diligent and inquiring mind—one that will contend stoutly and bravely against doubts and difficulties, one that will suffer no repulse, nor be beaten down by any disappointment—is the first requisite of historical investigation. And in order to put aside some of the earliest difficulties we have to encounter in the study of the original writers, we should endeavour to obtain a previous knowledge of the age in which the particular historian lived and of the public for which he wrote. For this purpose, some degree of antiquarian research, or at least a frequent reference to works which treat of the manners, habits, and usages of the period or people under contemplation, is indispensable. With such assistance, many obscurities vanish; many dark allusions are explained; we become more familiar with the style of thought and expression; we learn to think as the writer thought, and place ourselves in a condition to view events in the light in which he viewed them, without partaking of his errors or partialities. In forming our estimate of the *value* of the information

he imparts, we are materially assisted by the insight thus obtained into his moral character, his attachment to truth, the soundness and acuteness of his judgment and the fidelity of his colouring. I ought not to omit, as a strong ground of credit, the estimation in which he was held by his contemporaries. Pliny was not merely doing justice to the character of his friend Tacitus as an historian, in his letters to that admirable writer*; he has also rendered an essential service to posterity in his lively picture of the faith and reliance with which his statements were received by the most competent judges of his own times. Such approval imparts a stamp of authenticity of a character the more authoritative, as it implies the judgment of an age and nation upon a matter peculiarly within their knowledge, and pronounced at a time when the means of correcting errors which have now perished were within the reach of every one.

But after acquiring this preliminary information —and indeed in the very act of acquiring it—we shall find ourselves called upon to make some allowances. We have no right to demand, as the price of our belief, that the author should have suppressed or renounced his national character, his notions of patriotism, his religious prepossessions, or the peculiar form of thinking common to the age in which

Amount of
our de-
mands upon
the original
historian.

* Lib. vi. Ep. 16.—Lib. vii. Ep. 20.—more particularly Lib. vii. Ep. 33.

Candour.
Justice.
Love of
truth.

Tacitus.

The Chris-
tian scrip-
tures.

?

Diligent ex-
amination
necessary
to detect and
allow for
the inevita-
ble bias in-
cident to
age, birth,
rank, state
of civiliza-
tion, know-
ledge, or
ignorance.

he lived, the rank of society in which he moved, or the people to which he belonged. On the other hand, we are fully entitled to require at his hands candour, justice, and love of truth. In proportion as we perceive these qualities pervading the narrative our confidence increases. And when—as in the case of Tacitus—we find the historian guided by steady attachment to all that is noble and exalted in principle and feeling, unmoved by obvious or latent partialities, caprices, or prejudices, our confidence becomes implicit, and whatever doubts may arise as to particular facts, whatever errors may be imputable to particular opinions, the veracity of the *writer* rises above suspicion. There are no documents which enjoy this character in so high a degree as the historical portions of the Jewish and Christian scriptures. The ardent love of goodness, truth, and justice, are conspicuous in every page of them; and regarding them merely in a secular point of view, the historian may congratulate himself upon the possession of a guide of uncorrupted impartiality and fidelity.

But the presence of all these qualities does not exempt us from the duty of examination, or wholly exclude the salutary office of doubt. In all that regards the moral character of human motives and conduct, contemporary writers always exhibit them with that unavoidable bias which the prevailing modes of thought, the peculiar tone of moral feeling incident to the age and stage of civilization upon

which the writer stood, always imparts. The rank in society, the political or religious party to which he belonged, contribute in the same way to tinge his narrative with their own peculiar colouring without justly subjecting him to the charge of falsehood. Thus Gregory, the orthodox bishop of Tours, in alluding to the character of King Clovis, whom he rightly regarded as the champion of his religious creed, after narrating the complicated scene of treachery and cruelty by which that detestable prince had got rid of all the surviving claimants to the throne of the Franks, concludes by telling us that he was successful in this, as in all his other undertakings,—“because God was with him, and because he did that which was well pleasing in His sight*.” In the same way we may be assured that Tacitus would not have passed his harsh and unjust strictures upon the Roman Christians†, if his philosophic pride had not prevented him from examining into the conduct and principles of that humble community. It was the great fault of that stage of learning and civilization to overlook most things that did not put forth some pretensions to literary or political distinction. The learned of that age would have dreamt as little of a serious and truly philosophical inquiry into the state and tenets, the numbers and character of the religious sects in their vast

Instances in
corrobor-
ation.

* *Greg. Turon.*, lib. ii. c. 40. *D. Bouquet*, Ss. Rr. Gall., tom. ii. p. 184.

† *Tac. Ann.*, lib. xv. c. 44.

empire, as they did of a minute investigation into the numbers, condition, and treatment of the countless myriads of their own slave-population.

Errors of this kind frequent in the writings of contemporary analysts and actors.

Errors arising from such sources as these are most frequent, precisely in the narratives of those who have taken the most intimate share and interest in the transactions of their own times, or who, from their station in society, have been the closest observers of what was passing around them. With reference to the great series of events they undertake to record, these writers are much in the condition of the private soldier who attempts to describe a general action in which he was himself engaged: he will write down all that passed within his immediate observation with great truth and vividness of description; but he almost always fails when he aims at a more general statement. We *then* find that he knows little more than the result; and even *that* often imperfectly. For all that passed in other parts of the field he is obliged to rely upon the report of others not better informed than himself; and is in the end more liable to error than one who, at a proper distance of time and place, collects and compares different accounts. The very vividness of the impression which passing events are calculated to produce, confuses and dazzles the eye-witness; it casts too deep a shadow upon all that passes at a distance from the scene before him, however important to complete the picture, not to distract his attention; or, at least it prevents him from duly and deliberately

Disadvantages under which eye-witnesses and actors labour.

observing it. And indeed it is at all times a very hard task for one mind to grasp,—for one eye to take in, the whole scope and extent of any long or complicated series of events; and certainly not less so even when the writer has enjoyed the otherwise inestimable advantage of being placed in the very focus of the transactions themselves. Thus they who are most favorably situated for personal observation, are not so for generalization; their story is very often deficient in compass, owing to the difficulty they labour under of withdrawing their attention from that which they have witnessed themselves;—their inaptitude for perceiving the connexion of things present with the things past, and the impossibility of comparing them with those which were to come.

These considerations lead me naturally to advert to the advantages possessed by the avowed compiler;^{Avowed compilers.} the *second* class of historical writers in the general division which we have adopted. In speaking of this class, I advert only to those who have derived their information from original sources, and *not* from any secondary authority. A double hearsay cannot be tolerated in History where the originals are accessible. The subjects therefore of remark at present are those who have diligently collected and compared the original materials such as they are, and put them together in the form of a continuous and connected narrative. Our opinion of this class of historians must be guided by the number and the character of the sources from which they have drawn, and

What class of writers is meant by the designation 'secondary historians, or compilers.'

Amount of
the de-
mands we
are entitled
to make
upon the
non-original
historian.

by the ability and integrity with which they have used them. If we find that they have fulfilled all the duties of diligent collection, careful comparison and inquiry, and perspicuous arrangement;—if they have evinced incorruptible integrity, an intimate love of truth, and freedom from vulgar prejudices in the use of their materials, we may regard them as having made their own all *that* which constitutes the peculiar value of the originals. In some respects these writers stand upon a much higher ground than those from whom they derive their information; they command a more extensive prospect around them; they obtain a greater variety of matter for comparison, a greater number of helps for criticism, a greater diversity of views and comments to assist their own judgment, than any single contemporary observer can possess. Hence it happens that distance of time and place is so far from being regarded as a disadvantage, that we are accustomed to censure those who undertake to write the History of a period too near to that in which they live, and before the *whole truth* can have had time to transpire; or the world to shake off the prepossessions which recent injuries, or sufferings, or passions are sure to leave behind them.

Comparison of advantages possessed by contemporary and non-contemporary writers.

Still I wish it to be clearly understood that the advantages enjoyed by the professed compiler do no more for him than to place him in a more elevated station; they enable him to take a more comprehensive survey, and afford him a greater choice of

authorities. No non-contemporary writer can hope to rival the eye-witness in the individuality of character, in the liveliness of description, in the truth of the particular colouring, or in that interest and sympathy which almost always accompanies a personal narrative.

II. We are now to consider History as a *literary art*; and in this part of our subject, *arrangement* and *diction* are the principal points to which our attention ought to be directed. Yet it may not be amiss first to advert very shortly to the dispositions and attainments necessary to qualify the writer for his task. At the head of the catalogue of attainments, stands Philosophical and Philological criticism. An acquaintance with the main principles of these sciences is essential to enable him to detect errors of transcribers, designed or undesigned misstatements or suppressions, the interpolations of accident, ignorance, or dishonesty. The successful cultivation of the historical art moreover calls for a familiar acquaintance with the natural operations of the human mind, a practised eye for discerning motives, appreciating and making allowances for errors, delusions, and prejudices; and an expertness, derived from long observation and reflection, in bringing out the truth in its own genuine and unadulterated form, and presenting all that is worthy of observation in the world of human events,—the

II. CRITICAL
RULES FOR
WRITING
HISTORY OR
JUDGING OF
THE WORKS
OF OTHERS.

Attainments necessary to qualify the writer for his task.

whole experience of the past time,—in one bright and lucid picture to the mind.

1 Extent of survey.

2 Statement of fact.

3 Combination of facts. Event.

4 Combination of events.

5 Resulting events.

6 All instructive History must exhibit the relation of cause and effect.

But to this end it is necessary that he should have previously obtained a complete survey of his matter in its utmost extent: next, that the statement of each fact should contain in itself a distinct and determinate reference to the time, place, and person to which it relates. By the proper combination of such statements of fact, the *event*,—that is, the resulting relation of the several incidents to each other,—is historically expressed. By this process we get at the true character of the past; we obtain results, each of which may in its turn be viewed and treated as a simple fact or incident; or as a fixed station from which we may observe the bearing of each individual event upon the whole series before us, and thus obtain the great *resulting events* upon which depends the historical character of the period,—the concentrated experience and instruction it is capable of conveying.

There are not many historians who have made this kind of instruction their *professed* object. Yet if our notions of the true dignity of the science be correct—if indeed History be regarded as an authentic register of the political experience of mankind, I know of no other systematic mode of conveying it rightly. It seems to me that the narrative ought, wherever it is possible, to exhibit the relation of cause and effect in the arrangement of the events recorded; and that when this duty is performed

without attachment to preconceived theory, in a natural and convincing manner, the story will gain as much even in point of mere amusement as of intrinsic value. The most superficial readers of History, even they who take it up as a mere story-book to pass away an idle hour, like to find things accounted for. It may be entertaining to read the description of any particular event; but it is much more so to be told how it was brought about. And, indeed, I can see no reason why the results of the profoundest study, and of the most acute investigation, should not be made to contribute quite as much to the entertainment as to the instruction of the reader. In fact all the best examples of historical compositions we possess are essentially popular. Among the ancient historians, this is strikingly the case. Herodotus, Xenophon, Livy, and Cæsar are models of easy simplicity and perspicuity, whom it would be very difficult to equal, and by no means desirable to go beyond. If we were to aim at any greater degree of simplicity, we should probably fall into feebleness, or what, in colloquial language, is sometimes called namby-pamby. It strikes me that Southey has very happily hit the medium between the grandiloquence of Gibbon and the artless simplicity of the Tales of a Grandfather. He writes for grown-up men and women in possession of all their faculties in their maturity; he makes no greater call upon their understandings than they are capable of answering, and hence the great popularity of his

This need
not divest
it of its en-
tertaining
power.

works, even though he often boldly stems the current of public opinion.

Judicious
arrange-
ment neces-
sary to en-
gage and
hold fast the
reader's at-
tention.

A *judicious arrangement* is quite as necessary to engage and hold fast the attention of the reader, as an eloquent, flowing, and perspicuous style of narrative. The former occupies his understanding, the latter engages his imagination and his feelings, keeps alive his curiosity, and assists his memory. Both these qualities in union constitute the perfect *historical composition*, and when combined with industry,

Perfect His-
tory.
Difficulties
of arrange-
ment.

integrity, and impartiality, *the perfect History*. But this duty of arrangement is by far the most difficult part of the historian's task. The labour which it demands, in any long or complicated series of events, is incredible to all who have not undergone it. The principal difficulty to be overcome is that of finding out one or more fixed points or natural stations, where the various threads of the story come together of themselves; and from whence, as from a hill top, the writer may survey the matter before him, and clearly discern his onward path. A judicious

It must pro-
ceed upon
the *real* and
not the *acci-*
dental con-
nexion of
events.

arrangement should proceed upon the *real*, not upon the *accidental*, connexion of events. All the great and prominent transactions should be unfolded in their origin, progress, and results, wherever it is necessary, with geographical and chronological precision. The mere episodic or explanatory matter must be so interwoven as to interrupt the narrative as little as possible, and to contribute to, instead of injuring, the clearness of the statement.

Selection is another important duty of the accomplished historian. And this is one of the great excellencies of the work of Gibbon. He has not neglected much of importance to the fulness of his narrative, nor inserted anything that could overload it, or impede its progress. Inferior writers are very liable to diffuseness, an error more fatal to the interest of historical composition, than to any other. It enfeebles, distracts, and flattens the interest; it inflicts an irreparable injury upon the narrative, and is alone sufficient to rob the author of the credit due to exemplary diligence, honesty and learning. But fulness is not diffuseness. Every particular, however minute, if it really contribute to the result, is interesting. The fulness of the narrative should not suffer from the fear of diffuseness. Upon this point Pliny's rule seems to me exceedingly sensible. "Primum ego scriptoris officium existimo, ut titulum suum legat; atque idemtidem interroget se quid cœperit scribere. Sciatque *si materiæ immoratur* non esse longum; *longissimum* si aliquid accersit atque attrahit. Vides quot versibus Homerus, quot Virgilius, arma hic Æneæ, Achillis ille describat: *brevis* tamen uterque est, *quia facit quod instituit*."* In every kind of writing, if we first well consider our subject, and insert nothing but what really belongs to it, there is no fear of being diffuse. Conciseness is in some respects less difficult to attain in History, than in any other

Selection of facts.

Diffuseness.

Fulness not diffuseness.

Pliny's rule.

* Plin. Lib. v. Ep. 6.

species of composition ; since, strictly taken, nothing belongs to it but recorded facts ; all matter of observation must be confined to what is merely necessary to explain the relationship and connexion of those facts with each other.

Illustration. In this respect, a history seems to me to resemble the summing up of the evidence by a judge to a jury. The judge re-states every fact in the least material to the issue, or point in question, between the parties, with no other remarks of his own than such as are absolutely necessary to explain the bearing of the several facts upon each other, and to show how they contribute to the conclusion either one way or the other. Like the judge, the historian is privileged to enounce his *own* opinion, but he would be,—equally with the former,—guilty of a gross breach of duty if he were to withhold from his readers the means of forming an independent judgment for themselves, with respect to all questionable points. And as he cannot tell beforehand what doubts or difficulties may arise in their minds, he would not be chargeable with diffuseness even though he inserted facts, the connexion of which with his subject is not very clear in his own mind, if such facts really did accompany the principal transaction. And this renders selection a very delicate operation. We often do not know whether in throwing out an apparently unimportant fact, we are not losing our hold of the clue to important explanations. An incidental expression, a chance-word, often affords a world of matter for

reflection, and the assiduous historical student is always upon the look-out for such helps as these. Everything that bears any resemblance to a fact, even though it be but a shadowy allusion, is of value to him; because he is always in hope that it may receive light itself, or bestow it upon other similar facts, and so contribute a link to the great chain of historical deduction.

These duties then of arrangement and selection are the most arduous portions of the historian's undertaking. But when successfully executed, the merit of the performance is so universally acknowledged, that in our gratitude for the benefit conferred upon us, we are too apt to lose sight of the still higher qualities of candour and justice. I have already more than once alluded to the great work of Gibbon, and shall be pardoned for doing so again, by all but the blind admirers of that extraordinary performance, in connexion with the propensity just adverted to. I know indeed of no more striking exemplification of that kind of partiality which the mass of readers display towards those who succeed in telling them a long story amusingly and well, than the exalted character which that work still enjoys, and the facility with which his errors have been forgiven, and his un-English diction passed over.

In concluding this portion of our subject, I may be allowed a few short remarks upon another delicate part of the historian's task; that is, *the delineation of character*. There are very few of his duties which

Effect of a due performance of the duties of arrangement and selection.

Delineation of character.

require more caution than this. He has to put himself upon his guard, not merely against the power of imagination, but against his own private and peculiar antipathies and predilections. We are very apt to admire in others what we like best in ourselves ; we apply our own standard of moral and intellectual excellence to all the rest of mankind ; and if our notions on these matters be narrow, or exclusive, or morose, or erroneous, our descriptions of character

Qualities of
mind requi-
site to a true
estimate of
the cha-
racter of
others.

will surely partake of these defects. A cheerful, strong, and healthy moral character in the writer is indispensable to a right estimate of that of others. And so we find it in public as in private life ; the most enlarged and vigorous minds are the most acute in discerning the character of those about them, and setting them to the precise work they are fit for. In like manner the historian should be in a condition to assign to each of his personages their right station, in conformity with the real, and not with any fanciful or ideal standard of importance. He should not ascribe to the character of the acting person, that which belongs to the circumstances under which he acted. Thus if we were to attribute the overthrow of the kingly power in Rome, exclusively to the tyrannous character of Tarquin, or of the republic to the unprincipled ambition of Cæsar ;—the destruction of the reign of equality in France, solely to the individual character of Napoleon ; or the fall of that extraordinary man to his blind and headlong lust of power, we should impart a very partial if not a very

incorrect view both of the characters of the acting persons, and of the events themselves. On the other hand, if we were to describe these remarkable men as the mere creatures of circumstances, we should do *them* great injustice, and deprive History of one of its greatest attractions—its *personal interest*. The characters of the acting personages in the great historical drama should, as much as possible, be made to flow out of the events in which they are concerned, or the acts attributed to them, so that the mere statement of those acts and events should suffice to convey a clear notion of the share ascribable to their own peculiar agency, in producing the result. What they designed and executed should be fairly assigned to them; while, on the other hand, the control which great ability and distinguished powers of mind have exercised over circumstances, should not be exaggerated for the sake of imparting a false lustre to a favorite character.

I have been far less specific upon the *Laws of historical evidence*, than perhaps I ought to have been. The detailed discussion which so extensive and important a subject requires, appeared to me hardly consistent with the character, or the limits of an elementary lecture. But I hope to have other opportunities of advertng, with greater particularity, to the rules to be observed in judging of the authenticity and credibility of historical writers, and of

illustrating them by examples deduced from those writers themselves, which I think will be a more instructive and a more agreeable mode of dealing with a dry subject.

Plan of a
course of
lectures.

Allow me now to call your attention to the plan of a course of readings which I think best fitted to excite your curiosity, assist your memory, and convey a lively conception of the true dignity and value of our study. It is fortunate for us that the general history of our race is divisible into several *natural periods*; there are times and epochs at which the tide of human affairs takes a perceptible turn. Sometimes the direction is determined by a change in the ruling powers; at one period the current of civilization advances, at another it recedes; and there are epochs at which a change is effected in the *whole* system of religious, moral, and political principles, upon which society is framed, and by which the world is governed. These are what I wish to designate by the words

Explanatory
analogy
between the
ages of
human life
and the steps
in the pro-
gress and
decline of
nations.

“Natural periods.” In one view they resemble the ages of man: there is a rise, a progress, and a decline; there is a transition from simplicity and ignorance to maturity and knowledge; there are changes of principles and views; alterations of position; there is poverty and wealth, there is alternate activity and sloth; in short, the parallel might be carried even into the minutiae of the human life. It is therefore exceedingly useful, not merely as an illustration, but in some respects as a guide, in distinguishing the various natural periods of social

progress and decline. The difference, when it arises to our view, is so broad, that we are not likely to be led into any error. When we speak of the childhood of mankind, for instance, we cannot be supposed to impute to the whole race that weakness of the intellectual faculties incident to infancy. We merely ascribe to it the ignorance and simplicity, the irrationality, the eager desires, the headstrong will, the violent passions of the child. So likewise when we speak of the old age of a state, or nation, we do not mean to indicate any decay in the mental or physical powers of the individual man, but merely a relapse into ignorance or supineness of mind. No one would think of attributing these several stages of progress and decay in the social system, to the same causes, as those which produce the physical changes in the condition of the individual human being. With these broad distinctions before us, it must indeed be our own fault if we are ever misled by the terms ‘childhood,’—‘youth,’—‘manhood,’—old age,’—as they are applied to the history of man; and the analogy, though in every respect accidental, becomes both useful and safe as a practical aid to arrangement. In the sense here limited, every nation has had its several periods of childhood, and youth, and maturity, and frequently, also of age and decrepitude. And this observation directs us to one of the most important uses of History: it directs our curiosity to the means of ascertaining the causes of these fluctuations in the moral and intellectual condition

of our race. How, for instance, does it happen that at the discovery of the American continent, the inhabitants were found to be for the most part savages, while those of Europe and Asia, living under the same degrees of latitude, and in a similar climate, have at all times evinced so singular an aptitude for civilization? How are we to account for the sudden relapse into barbarism of nations which had at one time attained to so surprising a height of culture in art and science, in taste and literature? Where are we to search for the causes of that most extraordinary revolution in the history of the human race, which, about the period of the fall of the Western empire, overthrew an entire system of social culture, embracing nearly the whole civilized world, suddenly plunging the moral and intellectual being of mankind into that primæval darkness, from which a thousand years of assiduous cultivation had hardly then sufficed to withdraw it?

These questions, and others of a similar import—as, for instance, those which relate to the progress of the science of government, to the accumulation or decline of wealth, to the intercourse of nations whether commercial or political, or merely social—must, in conformity with the views laid before you in my first Lecture, be ever regarded as the main points to which your attention should be directed. It will therefore be my endeavour, in this course of Lectures, to give the answers to these problems in the shortest and most perspicuous manner I am able to do; and

to put you in a way to obtain more detailed and more satisfactory solutions for yourselves.

Period I. Our first period embraces that which, agreeably to the notion just adverted to, I have chosen to call the *Infancy of Mankind*: it comprehends the rise, the birth-place, the original divisions, and the dissemination of the human species. I shall shortly advert to each of these topics; but in order to do so with profit, it will be necessary to combine with them a general geographical sketch of the countries in which the aboriginal domicile of man was fixed, and in which he may be said to have received his earliest education, physical as well as moral. The earliest forms which society assumed while it remained confined to the high levels of Central Asia, to the mountain regions of Hindû Coosh, or of the Armenian Ararat, or to the plains of Aram, Palestine, Syria and Egypt, will form a principal branch of our inquiry. I shall not assign any precise number of years, or any certain terminal epoch to this period; but I shall endeavour to mark, with as much precision as I can, the natural symptoms of transition from this to the next following period or series of historical phenomena.

Period II. Our next period embraces the rise of the great Asiatic monarchies—the Assyrian, Babylonian and Median empires, the character and habits

PERIOD I.
INFANCY OF
MANKIND.

PERIOD II.
RISE, PRO-
GRESS, AND
DOWNFAL OF
THE ASSY-

RIAN, BABY-
LONIAN, AND
MEDIANMO-
NARCHIES.

of the nations by whom they were erected, the original nature of their power ; the state of society among them, and the causes of their sudden growth, their feverish duration, and their equally sudden disappearance from the scene. And here I purpose to make extensive use of a work as yet little known to the British public, and which I shall feel a pride in introducing to your notice ; I allude to *Professor Heeren's* celebrated essay upon the "*Political Condition, the Intercourse and Commerce of the ancient Nations.*" The earlier periods of our inquiries will lead us nearly over the same tract which that excellent writer has so admirably illustrated.

The Israel-
itish mo-
narchy.

The rise, progress and downfal of the *Israelitish monarchy* falls naturally and chronologically within this period. The same may be said of the vast fabric of Egyptian civilization, as also of the wonderful power, riches and commerce of the Phœnician cities of Tyre and Sidon, and their numerous colonies, extending from the mouth of the Persian Gulf and from the Ezion-Geber of the Hebrews even unto Tarshish—the Tartessus of the Greeks, the Bætica of the later Romans, the Andalusia and Estremadura of the modern Spaniards. And even beyond the extremities of the ancient world, to the happy islands of the Atlantic, to the shores of Britain, and the amber coasts of the Baltic. Without paying some attention to the commerce of the ancient nations, their history is—I may say—obscure from end to end. We cannot otherwise account for those

Egypt.

Phœnicia.

prodigious displays of wealth and power, those enormous cities—such as Babylon and Susa and Nineveh and Thebes and Ecbatana—that unbounded pomp and luxury, attested by the concurrent evidence of prophets and sacred annalists, as well as of profane historians and poets. Commerce and industry are the great sources of wealth. Where the precious metals abound—I mean in countries which do not actually produce them—we may be sure that they are brought together by commerce, and by the ever-increasing demands of comfort, convenience and luxury, which the industry of any large class in society is sure to generate in the remainder. The populousness, not less than the wealth of the ancient nations, must be accounted for by collecting all that can be gleaned respecting their produce—home or imported—their trade, industry and manufactures. Great masses of population collected together upon one spot can only be supported by great industry. Take London as an instance. There, within a small district of 30 or 40 square miles, are collected a million and a half of human beings. The amount of labour necessary for their maintenance is almost incalculable; yet a ramble through the streets of our great metropolis would suffice to convince any intelligent person, that if any one of the numerous branches of industry there carried on were taken away, the defalcation must of necessity be attended with a decrease of the means of support; and—unless the industry thus disengaged could be, within a very

limited time, transferred to some other trade or handicraft,—with a decrease of population likewise. Yet, if we are to believe the witnesses of the olden time, Babylon contained at least an equal number of inhabitants*; Rome even a greater number†. The same remark applies to the Diospolis Magna of the Egyptians, the Nineveh of the Assyrians, the Jerusalem of the Hebrews, the Tyre and the Sidon of the Phœnicians, and that crowd of rich and populous cities whose origin is hid in the mists of hoar antiquity. Of late years this important subject has been divested of a good deal of that obscurity which previously hung over it; and all the information that can be relied upon, has been collected and arranged with extraordinary industry and sagacity. I shall have much pleasure in laying before you, as succinctly as possible, the results of those interesting inquiries; and *that* under the twofold impression that the details in question are indispensable to the right understanding of Ancient History, and that they will add variety to the subject of this period which, without it, might appear both too dry and too obscure to engage as much of the student's attention as it deserves.

PERIOD III. *Period III.* The next period will be called the

* *Rennel*, Geog. of Herod, Sect. 14, p. 341, 342.—Conf. *Mannert* Geog., vol. v., pt. ii., p. 300.

† *Gibbon* (Vol. iii., c. 31, p. 219, 4to ed.) departs from the usual computations, and will not allow Rome more than 1,200,000 in the times of her greatest prosperity.

Persian and Grecian period. The earlier history of THE PER-
SIAN AND
GRECIAN
PERIOD. Persia will fall naturally within the preceding division; that of Greece belongs wholly to this. In this place therefore we shall dispose of the heroic ages of the Hellenic tribes, and endeavour to convey such an account of their origin and connexion as shall be essential to the comprehension of their subsequent history. We proceed next to the rise and progress Political
system of
the Greeks. of the political system of the Grecian commonwealths, including the contests and wars by which the balance of power was at various times established or overthrown; we shall shortly advert to the Grecian notion of liberty, the nature of their laws, civil and Laws. criminal, and the main features of their social organization. I do not of course engage to treat of these several subjects either at any length, or in the order in which I have just enumerated them, but rather as they arise, and in their natural connexion with the events by which our attention is drawn to them. Thus when we have to speak of the laws of Lycurgus and of Solon, it is requisite that we should advert to the general notions of legislation prevalent among the Greeks: when we arrive at the period of Pericles, some remarks upon the state of art and Art and
Science. science, of which that excellent person was so eminent a patron, will naturally obtrude themselves: the names of Demosthenes, Æschines, Socrates, Eloquence
and Philo-
sophy. Plato, Aristippus, and Diogenes, call up the history of eloquence and philosophy: the foundation of the numerous colonies on the shores of Thrace, the Colonies.

Euxine and the Palus Mæotis, or the settlement of those flourishing offsets of Grecian civilization which took root in Sicily and Magna Græcia, naturally direct our attention to the Greek system of colonization, the causes of emigration and the means adopted by the parent state for transporting the colonists to such extraordinary distances, and maintaining them so successfully against the numerous enemies with whom all new settlers have to contend; and this again leads to the no less interesting inquiry into the character of that intercourse which almost universally existed between the metropolis and her colonies, the state of navigation, the course of trade, the community of religious worship upon which that connexion was grounded, and by which it was sustained.

Struggle
between the
Greeks and
Persians.

This period will moreover embrace the two great eras of the struggle between the Hellenic republics and the Asiatic despots of Persia. The first of these eras describes those defensive wars in which the Greeks vindicated their national independence, and arrested the Asiatic torrent at the very threshold of Europe. The second era takes up the struggle at some distance of time, and displays the triumphant progress of civilized and systematic warfare against the countless numbers which, from time to time, threw themselves in the path of the conqueror; it will enable us to point to a few of the causes of that loose coherence so observable in all the great Asiatic monarchies,—whether of ancient or of modern date—

whether in the empire of Cyrus, or in that of Djen-gis Khân or of Timour.

This period closes *naturally* with the dissolution of the empire of Alexander the Great; but we shall extend it to the taking of Corinth by Mummius, in the year 147 B. C., for the purpose of indicating those defects in the political and social system of the Greeks, by which they forfeited their ascendancy among the civilized nations of the world, and were compelled to yield to the insatiate ambition of republican Rome.

Extinction
of the Greek
republics.

Period IV. Our fourth period comprehends the whole history of Rome from the origin of that state to the subversion of the republic, and the gradual absorption of all the powers of government into that of one great irresponsible officer. In considering this great period, I shall feel myself bound, in the first instance, to advert shortly to the changes which have been introduced into the mode of treating the earlier ages of Roman history, by the ingenious and indefatigable Niebuhr. I have been unable to per-

PERIOD IV.
ROME AS A
MONARCHY
AND RE-
PUBLIC.

Niebuhr.

the origin and early history of that extraordinary people.

Causes of
the Roman
ascendancy.

After a brief allusion to that which must now be regarded as the uncertain and nebulous period of Roman history, our attention will be directed to that internal structure and external policy by which the republic was enabled to extend its dominion over the various nations of Italy and Europe. The Romans assumed, at a very early period, certain well-defined maxims of state-policy. These maxims became, as it were, the form and mould in which the opinions and feelings of the people were cast, and from which they departed with great reluctance, and only in cases of extreme necessity ; always reverting to them with the pertinacity of habit, whenever the temporary pressure which occasioned the departure was removed. We know of no people among whom the idea of conquest and dominion entered so intimately into the opinions and habits of each individual citizen as it did among the Romans. This notion led naturally and inevitably to the most perfect military organization known to the ancient world ; but it likewise led to the most thorough disregard of all rights which might interfere with the unlimited extension of their dominion. The formation of this state of public opinion, and the development of the maxims of state-policy which flowed out of it, must be distinctly adverted to. The organization of the armies, the distribution of the powers of government, the state of the law, civil,

criminal, and constitutional, cannot be wholly passed over ; the principal historical epochs must be marked, and the causes of the decay of the republican institutions shortly indicated. Some remarks upon the state of arts, commerce, industry, and literature among the republican Romans may close the period.

Period V. Though the republican constitution of Rome had received many a rude shock prior to the decisive battle of Actium, which seated the most astute and fortunate of the Triumvirs upon the throne of the world, yet upon the whole it is most convenient to fix upon that event as the initial epoch of the empire, and of our *fifth period*. The events of the century and a quarter which had elapsed since the destruction of Carthage,—connected with those of the century succeeding our terminal epoch, viz. the battle of Actium—afford some very important political views. By one sect of historical politicians, the Cæsar Octavianus has been treated with great indulgence. His power proceeded from the same source as that of his adoptive father Julius Cæsar, or that of Napoleon Buonaparte in our own times. All these great men were carried upon the shoulders of the people and of the army to the pinnacle of imperial power ;—their dominion was based upon the ruins of the political institutions of their ancestors ; yet in all three cases the success of these mighty political adventurers—and we might add that of our own Cromwell—was unequivocally beneficial

PERIOD V.
ROMAN EM-
PIRE.

Policy of
Augustus.

to the people. The first step towards the loss of liberty is the disregard of those ancient institutions upon which it is based, and from which it derives its only authoritative exposition. The Romans, like many other nations, lost sight of the balancing principle of their constitution; and, in the vain struggle to better their condition, plunged into the vortex of faction, from which the strong arm of military despotism alone could rescue them. But, at first, enough of the old frame of government was allowed to stand, to impart a certain stability and sanction to the new régime; the citizens of Rome were encouraged, by the cunning policy of Augustus, to confound the shadow of liberty with the departed substance, until they had forgotten the very nature of freedom itself. But the Romans, though they had relinquished the substance, had not learnt to despise the forms of their ancient government: they adhered to them even when they saw the powers of the state all transferred into the hands of *one man*. That man then became the representative of the whole Roman people; from the people his power was legally deduced; and, this principle once established, the total extinction of all popular rights inevitably followed. But some time elapsed before this consequence was fully perceived; and when it was, the people found themselves disarmed and delivered over, bound hand and foot, into the hands of a standing army, and its irresponsible chief.

Loss of political liberty.

Rise, progress, and

But by far the most engrossing topic belonging to

this period, is *the rise, progress, and establishment* establishment of Christianity. of Christianity. I cannot help regarding the separation of religious from secular History as arbitrary and inexpedient. The strongest motives of human conduct are derived from religion; and therefore where religious opinions are the causes of political events, it is impossible to avoid scrutinizing them to a certain extent, without sacrificing the perspicuity and coherence of History. It may be admitted that in the earlier ages of the Roman empire, the introduction of Christianity was not attended with any very conspicuous political effects. Up to the period of its triumph under Constantine the Great, the heathen historians of the period take very little notice of its progress; and even the ecclesiastical writers, from whom our knowledge of the three first centuries of that progress is derived, represent the religion of Christ as an unobtrusive and unworldly faith, aiming at the improvement of society at large, by improving and purifying the character of each individual member of it. But though it should be an inadmissible supposition that Christianity had, Causes of the victory of Christianity over Paganism. during this long period, been wholly without political influence, yet I think it capable of distinct proof that that influence was derived not from the ordinary causes to which the ascendancy of particular religious and political sects is to be ascribed, but first and foremost to the convincing nature of the evidence upon which the truth of the Gospel rested; next to that, to the numbers and respectability of its

adherents ; and lastly, to the strong and well digested system of doctrine and discipline which it was enabled to oppose to the loose and incoherent superstitions of the pagan.

Advantage
possessed
by religion
founded
upon set-
tled doc-
trine or
written do-
cuments.

A religious feeling lies no doubt at the root of every mode of worship, however monstrous or degrading its external form, or its moral effect may be. But objects of worship and rites of worship are, in my apprehension, not enough to constitute a *religion*. There ought, I think, to be some settled traditional doctrine or written document to appeal to, to merit the appellation. Thus I should class among the *religions* of the earth *Hinduism*, where religious faith and practice—such as it is—is based upon the Vedas and Puranas ; *Mohammedanism*, which has its Koran ; the *Zend religion*, which has its *Zenda-vesta* ; *Buddhism*, which likewise has its sacred books. All others are mere superstitions, not easily to be rooted out, it is true, but very easily shifted and transferred from one object to another, and thus gradually mitigated and enfeebled. All documentary religions—if I may use the term—treat with a greater or less degree of perspicuity, and always *dogmatically*, of the nature of God and of man, and of the relation of the creature to the Creator : the sacred writings are the standing codes appealed to in all matters of doctrine and ritual. The religious notions of the Romans were founded upon no such documents : every man was at liberty to think as he pleased, or not at all, upon those points which nearly affected

That of the
Romans not
founded
upon either.

his condition here and hereafter : the religious mind of the people had nothing to attach itself to ; and was therefore soon made to feel its own feebleness when opposed to so strong and unvarying a system of doctrine as that of the written Word ; wherein the true relation of man to his Maker and Redeemer is marked with a precision and an emphasis which must have disarmed the Roman polytheist. And accordingly, when the more urgent worldly motives of adherence to his own infirm superstitions were removed, Christianity was permitted to mount her rightful throne. It may perhaps be stated generally that every form of worship, consisting of a mere aggregate of loose religious opinions and practices, must yield to the assaults of a religion based upon a digested system of doctrine and discipline, however remote that system may be from the truth ; and that *that* religion which most powerfully and convincingly expounds the all-important questions of the nature of man, his relation to his Creator, his present condition and his future prospects, must in the end prevail over every other.

Therefore it
yielded to
Christi-
anity.

This observation will, if I am not greatly in error, furnish the key to explain the triumph of Christianity over the Roman polytheism. I have lately had an opportunity of trying it upon the religions of the Teutonic nations, and find that it accounts very satisfactorily for the rapid victory which the Gospel obtained over the superstitions in question. I hope for an opportunity of dwelling rather longer upon

this important subject, when the event just alluded to comes under consideration ; at present it is necessary to proceed to the sixth and closing period of Ancient History.

PERIOD VI.
GREAT MI-
GRATION OF
NATIONS.

Period VI. This I shall denominate the *period of the great migration of nations*. This branch of our subject will open with a short account of the *external* causes of the decline and fall of the Roman empire of the West. And though the *intrinsic* symptoms of decay fall properly within the preceding period and will there be briefly noticed, yet it will be necessary to recall to your recollection such parts of this latter topic as bear most closely upon the great event in question. I have already expressed my dislike of merely arbitrary or theoretic separation as applied to subjects which, both in respect of time and character, form but a part of the same series of transactions ; and I shall not therefore hesitate to repeat, whenever repetition becomes necessary to the full elucidation of the matter in hand.

Preliminary
inquiry.

But the external condition of Rome in the fifth century cannot be adequately described without a general notion of the character, habits, and distribution of the various Teutonic families by which the empire was overrun. Neither can that distribution be comprehended without taking into account the movements of the Scythian, Sarmatian, Finnic, Mongul, and Turkish hordes of central Europe and

of Western Asia prior to the close of the fourth century. By this previous inquiry we shall be enabled to trace the downfall of the ancient civilization to its principal causes, and perhaps to indicate the earliest germs of that social system which sprang up spontaneously from the vigorous root of barbarism.

I shall not however scruple to carry this period full two centuries beyond that space of time which its title indicates. The great migration of nations commences with the invasion of Gaul by the Vandals, Suevi and Alani, in the year 407, and is usually regarded as brought to a close by the settlement of the Longobardi in Italy, under their king Alboin, in the year 568, comprehending therefore a term of one hundred and sixty-one years. But as I design to bring together within this period all the elements of the great European commonwealth of nations, as it exists in the present day, I find it impossible to stop short of the accession of Charles the Great to the throne of the revived empire of the West, in the year 800. Up to this epoch, not any one of those great institutions which imparted a peculiar character to the history of the middle ages, had attained to a definite form. But after it we are able to define feudalism, to describe with some degree of accuracy the system of ecclesiastical despotism which was rapidly overflowing the feeble bulwarks which temporal interests from time to time threw up against it; we are in a condition to point out new and specific forms of social polity, a new distribution of rights, a

This period to be carried down two centuries beyond the close of the great migration.

new series of ranks in society; all of them topics essentially necessary to the exposition of that prodigious revolution which had been operated through the instrumentality of the northern nations; and all of them equally so to indicate the birth, and to deduce the pedigree of modern civilization.

Rise of the
religion of
Moham-
med.

A second reason for prolonging this period of time is, the necessity of noticing the rise of a new religion.

Its rapid
progress.

Mohammed, the son of Abdallah, was born at Mecca in Arabia, in the year 569, that is, in the year following the closing scene of the great migration. The religion he taught spread itself at first slowly; afterwards with accelerated velocity. Within a few years of his death, the dominion of his successors extended over Syria, and Persia, and Egypt; and within a century, over the whole of Africa and Spain, excepting, in the latter country, a narrow tract of mountain territory upon the northern coast. Mohammed promulgated his religion in the form of a series of revelations from Heaven, suggested to him by the angel Gabriel. These successive communications he committed to writing, in the order in which he believed or pretended to have received them. His religion therefore, from the first, enjoyed the advantage of a written code of doctrine and discipline, a fixed ritual, and a settled form of public worship. He adopted the divine Unity as the basis of his doctrine, and selected from the religion of the Jews and Christians, such portions as might strengthen his theological scheme, without interfering with his

own pretensions to be the immediate messenger of God, and the inspired patriarch and prophet of his people.

These compliances and accommodations tended to remove many obstacles to conversion. At the same time he dexterously availed himself of the manifold corruptions, and the notorious image-worship of the Eastern churches, to class Christianity among the list of idolatrous religions which he was commissioned to extirpate. The principle which gave strength to the arm of the Moslem was the same as that which had upheld the Church of Christ against centuries of ignominy and persecution,—a firm and unswerving faith. But the principle had become greatly obscured among the Christians, by sectarian disputes and idolatrous practices ; while Charity, the sister of Faith had deserted the earth, and the bonds of Christian union were dissolved by strife, contention, and murmuring, and by mutual hatred and persecution. But among the new converts to the religion of Mohammed, faith was in its first fervour ; and constituted both the connecting bond and the moving power of the system. Before that fervour subsided, the empire of the Koran was founded and established ; and it has maintained itself down to the present day ; shaken indeed, and here and there encroached upon by the ascendancy which Christianity exercises over every other religion with which it has hitherto come into collision ; but the duration of Mohammedanism evinces at least the sagacity with which its founda-

Causes of
that pro-
gress.

Unswerv-
ing faith of
the new
converts.

Dissentions
among the
Christians.

Zeal of the
Moslem.

tions were laid in the religious wants, and the prevalent feelings and passions of human nature.

As civilization advances, Mohammedanism must recede: a *durable* civilization must rest upon much stronger checks to the evil and irregular passions of mankind, than any which that religion imposes. I feel much inclined to think that the Egyptian, Greek, and Roman culture owed their downfall to the want of these checks;—they did not endure, because no strong and sound moral system lay at the bottom of them.

Ancient
History
closes with
the acces-
sion of
Charles the
Great, A. D.
800.

With the accession of the Emperor Charles the Great, I shall—contrary perhaps to the accepted historical divisions—close the *Ancient History* of the world. My reason is, that at this epoch, the results of the transition from one social and religious condition to another become for the first time historically discernible. Previous to this point of time, I hope to be able to show that few important institutions, whether of a spiritual or of a secular nature, had attained to any definite form; and surely a transition state is the least proper that could be selected to afford a fit station from which to look back upon, to survey, and to comprehend the totality of bygone events, and to judge of them in the mass, and in their relative bearing upon each other. And yet without such a survey, very little advantage can be derived from the study of History. It is astonishing what an amount of error has been produced by partial views of past ages. There are not many,

even amongst the most renowned political reasoners, who are quite free from them. If our own Historians and those of France had chosen to extend their views beyond individual facts—upon which they are all too apt to rely—they need never have fallen into the errors with which many of them are now fairly chargeable. The German historians are rarely wanting in comprehensiveness, but they are,—with one or two distinguished exceptions,—too fond of generalization, too much attracted by novelty and paradox, and, up to this period, too little versed in the practice of government, to adapt their theories to the actual condition of men, social or political.

With these remarks I shall close this Lecture. I hope hereafter to have it in my power to lay before you the promised observations upon the birth-place, and the dissemination of the human species, together with a general sketch of the countries in which the original domicile of man was fixed, and where he received those early lessons, and that primæval revelation, which it pleased the Almighty to bestow upon him.

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POSITION AND PROSPECTS
OF THE
PROTESTANT CHURCHES
OF
GREAT BRITAIN AND IRELAND,
WITH REFERENCE TO THE
PROPOSED ESTABLISHMENT
OF A
ROMAN CATHOLIC HIERARCHY
IN THIS COUNTRY.

BY
T. GREENWOOD, M.A.
BARRISTER AT LAW.

SECOND EDITION.

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REPORT OF THE COMMISSION

ON THE PROGRESS OF THE

WORK DURING THE YEAR 1880

PRESENTED TO THE HOUSE OF COMMONS

IN 1881

LONDON: PRINTED BY THE HOUSE OF COMMONS

1881

ADVERTISEMENT.

THE shortness of the time allowed before the meeting of Parliament for the composition of the following sheets, must form the writer's apology for the many imperfections—perhaps, errors—they may contain. An original copy of the Bull, "*Universalis Ecclesiæ*," could not be procured from Rome in time to be before him during the whole progress of the work. But this circumstance is the less to be regretted, as he has upon comparison found Dr. Ullathorne's version to be substantially correct.

The author begs leave to assure those who may peruse his pages, that he will receive and consider any strictures or corrections, by whatever spirit they may be dictated, if not with equal pleasure, yet at least with equal attention; and if an opportunity should be afforded, hasten to adopt such of them as upon reflection he shall think well grounded.

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TO THE MEMBERS OF THE BRITISH LEGISLATURE,
THE CLERGY AND LAITY OF THE ESTABLISHED
CHURCHES OF ENGLAND AND SCOTLAND, AND TO
THE SEVERAL PROTESTANT CHURCHES AND
COMMUNIONS THROUHOUT THE EMPIRE.

§. 1. *Object of this Statement.*

THE object I have in view in thus boldly addressing all classes and denominations of my countrymen, is to place before them, as shortly as possible, their real position in relation to the recent attempt of the Bishop of Rome and his friends, to establish an organized territorial hierarchy in this country.

It is to be hoped, that by the time Parliament meets, the violent effervescence through which the mind of the Protestant public has passed, will have so far subsided, as to leave us in a more favourable state for a rational inquiry into the real position of the Protestant communions towards the claims of the rival church; and to enable us, in arriving at our conclusions, to make our religious and political duties, rather than our prepossessions and prejudices the measure of our demands for redress upon our Queen and legislature.

Setting aside the remoter causes of the advance of the Papacy towards a permanent footing in these islands, I will now point out a few circumstances,

which I believe it is pretty well agreed on all hands, have given the first impulses to this movement.

§. 2. *Increase of Romanism in England.*

Within the last twenty years, there has been an observable increase of Romanism in England. Crowds of our countrymen flocked annually to the Continent, greedy of novelty, and eager for amusement. Churches, and the religious exhibitions they afford, were objects of great attraction to the idle crowd. They witnessed the gaudy ritual of the Roman Church, at first with vacant curiosity; but they soon learnt to relish the multifarious symbolism of the ritual—to contemplate the images of the Virgin and saints with complacency—to enjoy the polished conversation of Jesuits and churchmen—to be charmed with their manner and address—to listen to the pleasing descriptions they gave of the religious privileges their penitents enjoyed, their implicit faith, their active charity, their blameless lives—till they were gradually brought to mistake the samples exhibited for genuine specimens of the unseen commodity, and to think, at least with charity, of a religious system which, besides producing so much ostensible good, brought salvation home to every man's door, without the trouble of going very far to seek it.

But it was chiefly in Rome, the city of temples and religious pageants, that these butterflies fluttered with the most intense delight. Having no leisure, and very little ability, to examine what lay beneath the surface, they took all for gold that

glittered, and were soon plucked clean of the little Protestant plumage they might have carried out with them. On their return to England, they were glad to find some provision made for their entertainment at home—something to fill up the vacancy in their imaginations, which the sober aspect of our national worship could not supply. They joined the outcry against Protestantism which had within that period arisen among certain ostensible members of the national church : they encouraged by their presence and by exaggerated observance, that multiplication of devotional forms which this party had introduced ; and therein found something to supply the want of that religious excitement to which they had been accustomed abroad, yet without the inconveniences of an honest renunciation of the profession in which they had been born and bred.

§. 3. *The Tractarian School.*

After the passing of the Roman Catholic Relief Bill in 1829, the leading men of all parties, in their anxiety to promote its healing effects, diligently strove to obliterate the landmarks which severed the two professions. The past was to be absolutely forgotten ; and all who were heard to whisper an alarm, were dismissed with silent contempt or open ridicule. The Protestant spirit was laid fast asleep ; but another inmate of the undisciplined human heart awoke in full vigour. The half-educated—the most self-sufficient and vain of all classes—the diffident and the timid began to ask the question, “What is truth?” and to crave an answer that

should save them all further trouble. The Church replied, "Search the Scriptures, for in them ye believe you have the words of eternal life." But this was a hard saying; a more soothing note was heard not afar off, "Come to us, and we will shew you the way; Scripture is for us, not for you—without us you must miss your path, for we are your appointed guides and instructors." This was good news, and very many persons followed the sound, and traced it to the Halls of Oxford.

With the spirit of increasing activity and zeal among our younger clergy, a more exalted notion of sacerdotal dignity and authority had sprung up. They gradually adopted a conception of their office, approaching closely to that of a mediatorial and sacrificing priesthood. In this they were encouraged by that restlessness of spirit among the laity, springing from the combined effects of ignorance, supineness, and love of novelty. With the demand for more definite assurance than the modest pretensions of the National Church could afford, a longing arose after more positive forms, more authoritative promises, more splendid ritual. This demand, the New School undertook to supply. They drew forth from our ancient rubrics and services, many ceremonial observances which had in process of time become obsolete, tending to formalism, and inconsistent with that spirituality which is of the essence of Protestant worship, because no longer required to smooth the path of reformation.

As the views of this party among the clergy expanded, they endeavoured to lift the Church into

a position of authority and power, never yet claimed by any Protestant communion; they ascribed to the priesthood all, or nearly all, the attributes imported by the Church of Rome from the Jewish hierarchy into her own; and, inasmuch as it was soon perceived that the principles of the Reformation stood in direct contradiction to these pretensions, they began very cordially to hate, and very sedulously to depreciate that great event.

Finding, however, in the older formularies rubrics and ritual of the Reformed Church neither enough to satisfy their desire for a greater multiplicity and splendour of devotional forms, nor any sufficient sanction for their exalted notion of the sacerdotal character, they naturally began to doubt whether a Church which granted them so little was any Church at all. They contended that all the powers imparted by Christ to his Apostles were transmitted to the bishops and the clergy their successors to the fullest extent of the original grant; and among these, more particularly the powers of binding and loosing. The Church of England, they said, makes salvation in no degree dependent upon the exercise of this power, but rests it simply upon the personal disposition of the sinner, giving, it is true, to the priest a power to declare, but not to impart, any official assurance of pardon. But this view of his official character amounts to an abandonment of the apostolic office cast upon him by his Lord, and deprives the body of the principal outward mark of a true visible Church. Every true Church, they affirmed, must maintain its entire character, the

abandonment of any one article destroys it ; but the Establishment has relinquished the power of the keys ; the Church of England has renounced those miraculous gifts, as necessary now as ever, to convince the gainsayer and the infidel, to confound heresy and schism, and to ground her upon that Rock upon which Christ himself placed her, promising that “ He would be with her to the end of the world,” so that she should never want any of those good gifts to which she owed her birth, and by which she was maintained in her infancy ; all these good gifts the Church of England had wilfully thrown away ; she had renounced her birthright for that mess of pottage, state connexion, and the time had therefore arrived to renounce her.

§. 4. *Tractarian Secession.*

Upon these grounds many clergymen of the Oxford School went over to the Church of Rome. And it is the more important to state them clearly, because they are the basis of those identical errors which the Reformation protested against and swept away. At that period the idea of a sacrificing and mediatorial office in the priest, was substantially disavowed, and he descended into the humbler character of an appointed minister and instructor of the Christian people. The altar dwindled into a table covered with a pure white linen cloth, the elements of sacrifice into simple bread and wine ; the efficacy—the real presence of the Saviour—dependent in an infinitely higher degree upon the spiritual state of the recipient than upon the hand that hallowed the sacred feast.

With the bread and wine Christ verily and indeed entered into the temple of the Christian heart, but only when swept and garnished by the besom of repentance, and not by that of sacerdotal absolution. This degradation from the potential to the merely ministerial office mortified and irritated the ambitious spirits which our Church had for a long time past nourished in her bosom, it must be confessed, with that degree of indulgence which is almost always extended to those who stand up for corporate privileges by the members of their own body. But as the views of these gentlemen expanded, dating, perhaps, from the publication of the 90th tract, that indulgence was in a great degree withdrawn. In proportion as they felt the ground slip from under them within the pale of the Establishment, their doubts increased, and their views veered naturally towards that communion which could alone lift them into a position upon a level with their spiritual pretensions. And in that communion they finally sought a refuge from disappointment and disgrace. And now, as usual in all such cases, no better way to justify their defection to themselves and their former friends could be hit upon than to second with more than ordinary zeal the efforts of their new allies for the overthrow of the principles they had betrayed and deserted.

It may be mentioned here that opportunely enough for their scheme, while the hankering after religious display and pageantry before alluded to was gaining ground, a variety of other tastes connected with mediæval antiquity occupied the atten-

tion of artists and tickled the fancies of amateurs and idlers of all ranks. The former plunged headlong into the mysteries of church architecture; the walls of the Royal Academy were covered with Gothic designs of all styles and periods, almost to the exclusion of every other architectural study. The table of the boudoir was garnished with illuminated missals, lives of saints, legendary stories and novels, deriving their chief interest from connexion with Romish forms and ideas, or directly recommending Romish principles and practice. In conversation the high-church tone came into vogue, and the manufacture of altar cloths and church ornaments was esteemed a fashionable occupation. To minds thus prepared it was now much easier to impart an exalted idea of the significance and importance of religious forms and ceremonies, and to connect them with the source from which they were originally derived. The Reformation was already brought into disesteem; Protestantism was loudly condemned, the name of Rome was uttered with reverence; all attacks upon her deprecated as schismatic, and every obstacle to a reunion with her cleared away, as soon as a decent opportunity could be found or created for slipping quietly through the open portals into the fold of Popery. Pope Pius IX was, chiefly by the instrumentality of the new converts, led to believe that the time for throwing them wide open had arrived; the bull "*Universalis Ecclesiæ*" was issued and England graciously received into the arms of the only true church.

§. 5. *Movement among the Roman Catholic clergy.*

Whether encouraged by these prospects, or prompted simply by a desire for an increase of personal power and dignity, or, it may well be, by an anxiety to be placed in a more favourable position to take advantage of the increase of liberalism in religion as in politics for the extension of their peculiar church principles—whatever their motive may have been, it is certain that for some years prior to this, the Roman Catholic clergy in this country expressed to the Pope a strong desire to be released from the dependent position in which they then stood, and to exchange it for that of a self-existent canonical hierarchy. Hitherto the Roman Catholic bishops and clergy had appeared among us as simple missionaries appointed by the Pope for service “in partibus hæreticorum;” consequently with no other than a delegated office confined to the spiritual superintendence of the scattered flocks of their communion in these kingdoms. And in this light they were regarded by the legislature and the public. The bishops were liable to be shifted from one district to another by the Pope, just as an itinerant preacher of the Methodist connexion may be removed from his circuit by the fiat of the Conference; and even within that district they had no ordinary authority but what they derived from the Pope’s instructions.

Their complaint, therefore, was, that in the true sense of the word, they were not really bishops; for they were provided neither with sees nor dioceses,

The common or canon law of the Roman church, as of our own, places every diocesan bishop upon an independent ground. Subject only to papal visitation, he is his own master ; and every interference, except by the canonical modes and procedures is excluded.* As vicars, they held only the personal, but none of the territorial attributes of bishops. In this precise light they had been regarded in Protestant England for nearly three centuries ; and under this view of their status and condition, and no other, all our legislative enactments relating to Roman Catholics had been passed. Never till now had the Bishop of Rome suffered a suspicion to get abroad that he himself contemplated them in any other light, or thought of giving them an episcopal character identical with that of the national hierarchy.

It was, therefore, in the humble garb of a Missionary communion that the Roman Catholic clergy and laity presented themselves in 1829 to the British legislature, petitioning for the restoration of their civil rights. All they asked was that a particular oath called the "Oath of Supremacy," in the form in which it stood on the Statute book, should be removed out of their way. By that oath the King was declared to be "in all causes *ecclesiastical* as well as civil in these his dominions supreme." To this they objected that they could not conscientiously make such a declaration ; but expressed their willingness to acknowledge the *temporal* supremacy of the crown in the amplest terms. Without any

* Dr. Ullathorne's letter, *Times*, 24th Oct. 1850.

legislative notice of their peculiar religious objections, the Parliament released from this oath, every one who should declare himself a Roman Catholic and substituted another with which they expressed themselves satisfied. The country thereupon admitted them without suspicion, and almost without limit, to every privilege of British subjects. The inconveniences which have flowed out of this heedless proceeding will be a subject of our future consideration.

It is very probable that the Romish bishops, when in 1848 they petitioned the Pope to assign to them sees and dioceses in England, may have persuaded themselves that the proceedings of 1829 implied a legislative licence and authority to uphold the spiritual supremacy of Rome in opposition to that of the English crown.

Be this as it may, in 1850 we find that proposition boldly maintained and practically carried out. Dr. Nicholas Wiseman, a very distinguished Roman Catholic prelate, stood godfather to the scheme, and produced to our astonished vision a Bull or "Letter Apostolical" from Rome, erecting the whole of England into one huge Archiepiscopal province, with himself at the head, by the title of Archbishop of Westminster, and the additional decoration—no doubt out of compliment to our mediæval tastes of recent growth—of a Cardinal's hat. The eight Vicars Apostolic are by this wonderful instrument installed in eight new bishoprics carved out of, though not conterminous with the ancient dioceses of this country. A ninth diocese, that of South-

wark, is for the present to be held in commendam with the Metropolitan See of Westminster; and three other sees, all set out by metes and bounds, remain, we believe, up to this time at the disposal of his Holiness. The vicars were thus converted from the status of simple missionary priests into that of a territorial spiritual magistracy, with high rank, local habitation and defined jurisdiction, ready to measure themselves in all these respects, and upon their own ground, with the bishops and clergy of the Established Church.

It is not necessary to describe the effect of this extraordinary measure upon the Protestant communions of this country. It is sufficient to state that our hearts, which since the year 1829 had been ever open to the just claims of our Roman Catholic countrymen, were closed for the present. The whole kingdom resounded from end to end with one loud and indignant protest, and petitions without number poured in upon the Queen, beseeching her to hasten to the rescue of her violated rights, and of the civil and religious liberties of her subjects. For, that the publication of a papal Bull in this country, more especially one of a nature like that with which Dr. Wiseman has presented us, was a violation of the entire policy and spirit, if not of the letter of our law, was the all but universal impression of English Protestants—an impression, it must be remembered, manifesting itself at a moment when the spirit and the practice of toleration had become a habit of the Protestant mind in this country—at a period following close upon the heels

of that in which we had, by the repeal of nineteen or twenty almost forgotten statutes, removed, as we believed, the last shadow which intercepted the full sunshine of Romish gratitude and affection. That we acted under a very serious mistake will I conceive appear in the sequel of this treatise.

§. 6. *Some disadvantages of our position.*

The contest, however, has begun under some disadvantages on our side which it is necessary to specify. Let it be remembered in the mean time that it is not my design to offer any new information or argument, but simply to arrange that already produced, and often eloquently produced, at public meetings and lectures, as well as from the pulpit; and, if possible, to do it without wearying the reader with a twice-told tale.

1. The first disadvantage to which I solicit your attention is that of *Irish immigration*.

It is well known that within the last eight or ten years, but especially since the occurrence of the late potato famines in Ireland, many hundred thousand Irish, exclusively of the most indigent classes, and devoted to the religion of Rome under the tuition of priests brought up in the Government College of Maynooth, have settled in London and in the greater manufacturing cities of England, *e. g.* Manchester, Liverpool, and Glasgow. These multitudes have been followed by priests of their own communion, who have managed to establish among them the same unbounded influence as that exercised by the same class of men at home.

The bitter fruits of that influence in Ireland—the irreclaimable barbarism of the rural population—the agrarian murders and pillagings which might have been prevented—the education so freely offered, repudiated at the suggestion of the priests—the clamour for self-government, which must have proved the bitterest of curses to them in their actual condition—the undisguised use of political authority by these self-styled ministers of Christ, for the purpose of creating among their flocks hatred and contempt of their Saxon fellow-subjects—these results, we maintain, convey at least a serious warning to us how we permit a similar system to be introduced into this country. That it has been attempted is a matter of notoriety. Superintendants and contractors on railroads have been murdered by gangs of Irish labourers, others have been waylaid, beaten, and maltreated, yet not a witness to these sanguinary outrages was to be obtained from among their fellows; not a whisper of exhortation or rebuke was heard from the altars or the pulpits to which these ignorant and misguided men resorted for moral and spiritual instruction.

Silence often affords proof as pregnant as words. They who could if they pleased have prevented crimes, those in particular whose special duty it is so to do, and do it not, are responsible in *foro conscientiae* for the result of their wilful negligence. We need go no further back than the late meeting at Birkenhead to test both the sanguinary temper of the newly-imported Irish labourer, and the influence, for good or for evil, his priest possesses and

exercises over him. The influence of such a class, if permitted to fasten itself upon this country, must be unspeakably calamitous. Even as it now stands, if at any time it should suit the policy of their sacerdotal leaders — themselves well-skilled in the art of keeping out of harm's way — to let loose the fanatical masses upon the Protestant communities of the populous towns, the amount of crime, bloodshed, and destruction of property is beyond all estimate. The calculations of religious leaders, as we learn but too clearly from the history of the past, are never materially disturbed by considerations of that nature. When we look back to the history of St. Peter of Castelnau, the Saints of St. Bartholomew, and the martyrs to the heretical vigilance of Queen Elizabeth, we feel instinctively that fanaticised masses like these care as little for their own lives as for those of their opponents. They are amply rewarded by the anticipated honour of martyrdom in the holy warfare.

But though it might not come to this, the mere consciousness that such a power existed close to their own doors, must tend to lame the magistracy, to trammel the administration of justice, and to perplex the legislature. A large class of timid persons in our towns would be induced to deprecate at any cost the most obvious measures of repression. All who have any thing to lose would abstain from lending their aid or their names to the most urgent precautions if it should be thought displeasing to the ghostly advisers of the congregated Irish. The eyes of Chartists and disturbers of all sorts —

the hopes of mob orators and pot politicians—would turn naturally towards the rising sun of Romanism. The conditions of the alliance would give neither party any serious trouble. But what should we say of the condition of England, if compelled to resort to the same measures here for the defence of our laws, our homes, and our property, as those we were driven to adopt in Ireland in 1848?

This question suggests a second consideration of the same dangerous character.

It is well known to the police magistracy of this great city, that in the eastern outskirts and in many other parts and portions of the town, there are congregated nearly 300,000 persons who are either absolute heathens, *i.e.* destitute of all religion, or Irish Roman Catholics. These two classes are associated with each other by the bonds of common poverty, labour, and suffering. But the Roman Catholic has a positive creed; he has, in his way, a certain sense of religious obligation, though its external manifestation may depend altogether upon the will of his priest. But men, even the most degraded of the species, *will* have a religion; the worst, if no better presents itself to their notice. Following the instinct of the human character, multitudes of these non-christians adopt the Roman profession, though it were only for form's sake; and in this manner the spread of Romanism in those districts has been rapid beyond all former example. Such localities as these are the chosen arenas of Romish labours,—infinite the good they might do,

infinite the mischief they may perpetrate, if (as is but too much to be apprehended) they should listen to the suggestions of ambition and religious hatred, and to infuse into their English penitents that fanatical spirit which they have so successfully propagated in unhappy Ireland.

The same observation applies to other large portions of the industrial districts of this country, more especially perhaps to the West Riding of Yorkshire, the towns of Liverpool, Glasgow, Manchester, and other populous manufacturing places. Of this discouraging symptom very little notice has hitherto been taken. The ultra-liberalism of these later times has derided the notion of danger from such a quarter. The natural alliance between ignorance and superstition, has been wholly overlooked, and this vast incursion of barbarism has been regarded only in its bearing upon statistics, upon the means of support, the increase of pauperism, the danger to the public peace from casual outbursts of the Irish national character, and other considerations having no connexion with the moral or religious consequences to the invaded regions and their poorer inhabitants.

We have, as yet, no sufficient data by which to calculate the accession of political strength, the Roman priesthood may have derived from this source, but we know that it is very considerable, and of exactly the same character as that which they exercise over the native Irish. We have, it is true, the remedy against this evil in our own hands; but the expense of erecting churches, endowing

them for working clergymen, building schools, and paying teachers, would, I am convinced, fall upon the ear of the parishes, hundreds and counties where it is required, like the knell of another income tax, overtopping all that has been hitherto spent in churches and schools for the last ten years. Those who are best acquainted with the districts, I am naming, speak of them as of an ignited mass of volcanic matter, ready to burst forth in ruinous explosion, as soon as the superincumbent weight of law, authority and order shall be disturbed or shifted from its present basis. What course of conduct could more effectually tend to such a crisis, than one which should engender in the minds of the Protestant population, a suspicion that their dearest religious interests might any day become the mere subjects of party calculation, or the sport of factious politicians, either within or without the walls of Parliament? Some impression of this kind has already got abroad. A few successful attempts have been made by the ultra-dissenting party, in alliance with chartists and republicans, to check the movement against Popery. By all these classes the overthrow of the Church of England is regarded as a very material step towards the accomplishment of their ulterior plans. In the pursuit of these plans they address the popular plea of unlimited toleration, to the large class of timid, conscientious and puzzle-headed men, who cannot see that there are few rules of conduct, however excellent in themselves, which, if pushed to extremes, do not lead men into pernicious absurdities. To these either

among their own body, or elsewhere, who still entertain some lurking suspicion, that after granting everything the Papists may for the present ask, we may not yet have seen the end of their demands, nor meet with that reciprocity of toleration on their part, we have a right to expect, they urge the vast advances of civilization and knowledge, as a sufficient safeguard against the intrigues and encroachments of Popery : while the pious and trusting are tranquillized by quoting the remonstrance of Gamaliel to the Jewish Sanhedrin, against the intended persecution of the Apostles of Christ.*

A third disadvantage in our position arises out of the undoubted existence, coupled with the semi-official recognition, of a Romish hierarchical establishment in Ireland. Some years ago, in our zeal for extreme principles of toleration, we dealt "a heavy blow and a serious discouragement" to Protestantism in that country by the abolition of twelve bishoprics belonging to the establishment ; thereby leaving the Roman Catholic titulars in unrivalled possession of all the moral and religious influence which an active Protestant episcopacy might have retrieved and established. I do not remember whether it occurred to any one to suggest the possibility of converting the twelve bishoprics it was intended to suppress, into the means of strengthening the interests of Protestantism—the only interest in the island to which we can look with any confidence for the maintenance of the union with this country.

* Acts v. 38, 39.

Certain it is, however, that that interest was in the minds of our rulers identified with Orangeism, and decried with a bitterness of sarcasm and an intensity of aversion which indicated the source from which it proceeded, and the alliance of which such manifestations of zeal were the indispensable conditions. That alliance was, in fact, the creature of a temporary political expediency. It is now acknowledged that not one of the advantages so confidently predicted from it have been realized. Every effort for the improvement and instruction of the people has been invariably thwarted by the Irish episcopacy ; every act of private charity or public beneficence has been neutralized by false representations, or by systematic depreciation ; and every expedient that ingenuity could devise has been resorted to to obstruct the healing influence of time and improved intercourse upon the festering wounds inflicted by ancient differences of race, creed and civilization.

We cannot be surprised at these lamentable results of our efforts to reconcile Romish ascendancy with our projects of improvement. The state of Ireland exhibits the normal condition of every country where Romanism prevails without the sharp control of Government. We have substituted coaxings and favours for the pressure of control ; we desired to conciliate ; we shewed ourselves inordinately anxious to blot out every appearance of coercion ; we gave a rich endowment to a College for the education of their priesthood ; we offered them general education divested of every obstacle to the inculcation of their own religious opinions among the children of their

communion. Everything was objected to : all that brought with it any immediate advantage was accepted, but without the conditions annexed—without gratitude—without acknowledgment—as an instalment of a greater debt to be exacted hereafter to the uttermost farthing. The amount, though not very precisely stated, may be easily guessed at.

The opinions of the Irish hierarchy are in the highest degree ultramontane, and in that respect at least there is a perfect sympathy between them and the projected papal establishment in England. They will naturally afford each other mutual aid and counsel, for the common purpose of overthrowing the Established Church. Whatever measures we in this country may think fit to adopt against Dr. Wiseman's scheme, will be resented as an insult to Ireland. A promising beginning has been already made ; our public meetings have been stigmatised with the bitterest derision and contempt, and the unlucky letter of our liberal Premier has run the gauntlet of Irish vituperation to the exhaustion of the copious vocabulary of abuse so familiar to that lively and imaginative race.

All these disadvantages of our position, are, however, light in comparison with those arising out of the conduct of our government towards the Roman Catholic hierarchs in Great Britain, and in the Colonies. Our legislature has sanctioned the illegal presumption of the Irish Roman Catholic prelates, in naming them by the designations or rank hitherto appropriated to the prelates of the Established Church, in the Charitable Bequests Act of 1845 ;

and this in the teeth of an express clause in the Act of 1829, which made it a misdemeanor punishable by severe fines, to assume the style and title of any existing archbishopric, bishopric, or deanery, in the occupation of a bishop or dignitary of the United Churches of England and Ireland.

In the British Colonies, as it has been correctly stated,* the See of Rome has repeatedly created archbishoprics, and bishoprics with territorial titles, setting out provinces and dioceses, and appointing diocesan archbishops, and bishops, without the consent of the British Government—without remonstrance on their part, and in one case (that of Melbourne in Australia), with the express sanction of the Officers of the Colony, for the assumption of the local title by the Romish prelate. It is also added, and I believe, correctly, that the Government has in Ireland, and elsewhere recognised the rank of those prelates as archbishops and bishops, by giving them the honorary prefixes of “My Lord,” and “Your Grace,” which the law or usage assigns to the archbishops and bishops of the Established Church. From all these and many other acts of culpable negligence or settled purpose, a strong presumption has been drawn that the Government of this country has practically abandoned and virtually repealed the only protective clause in the Bill of 1829; that, namely, which was intended to prohibit an open and public assumption of equality of

* See *Mr. Bowyer's* pamphlet published by “authority,” p. 13.

rank and station—important in every social state—on the part of the Roman Catholic hierarchs.

But to this topic we shall have to refer hereafter. Hitherto my only purpose has been to place before my Protestant fellow-subjects some of the external disadvantages of their position, not with a view to abate their courage, but to make known the weak points of their line ; to shew from what quarter the attack is likely to proceed, and to direct them, if possible, to the best modes of defence. But besides those already enumerated, there is a disadvantage against which we cannot be too much upon our guard : that is, the absence of unity of effort among ourselves. Parties have always run high in this country, yet there has been generally at bottom a fund of good sense which has neutralized the effects of faction. Dissenters and Churchmen have fought for their respective theories of Church government and discipline, upon Protestant ground. Though divided in their ideas of the Church, in their interests and their feelings, both parties adhered to the Reformation as zealously as to their Bible. Let us now, like the antagonist parties in the country who in 1660 combined to restore the monarchy, adjourn our dissensions, if such there must be between us, to the day of success ; let us reduce our peculiar ideas, interests and feelings, to that single idea, and interest, and feeling, which we hold in common. Receding for the moment from extreme grounds, let us fix our undivided attention upon the common object ; giving up what we should prefer, for the sake of what we all so earnestly desire. “This,” says M. Guizot in

his last work, "is the true touchstone of political good sense and intelligence among opposing parties."*

As these pages are exclusively addressed to those who hold by the principles of the Reformation, it may be as well perhaps to state what I believe this common ground to be. If I mistake not, the great idea fostered by our Reformers was that the universal Church of Christ is not necessarily connected with any unvarying form of Church government, discipline, or ritual observance ; and that as long as there are no differences as to the main principles of Christian truth, as they stand recorded in the Scriptures, disagreements in externals cannot shut out any denomination of Christians from its place among the members of that one great Catholic and Apostolic body of which Jesus Christ is the only supreme Head and Ruler. The external particulars to which I have alluded will be regarded by all parties as at best no more than means to an end ; and though Dissenters may earnestly desire to reduce the Church of England to their platform, yet if they are honest in their adherence to Reformation principles, they will not permit the enemy of the common faith to deal the blow that shall strike her to the earth. There is an internal union, a catholicity of the heart, in the relation between the Church and the orthodox Dissenters, which to my mind no external differences ought to affect. The same may be said of the national Church of Scotland. All these assert the right of private judgment, which the Church of

* "Monk," in the preface, p. vii.

Rome denounces ; all demand the free use of the Scriptures, which the Church of Rome prohibits ; all alike protest against the introduction of “ erroneous and strange doctrines contrary to God’s word,” such as many of those introduced by the Church of Rome. This, I believe, is the common ground upon which all may fight the battle of their faith ; and from this ground we may reconnoitre our enemy, examine his position and tactics, ascertain our own vulnerable points, and hasten to the assistance of our allies, whether they be of the Churches of England or Scotland, or of our Protestant brethren, whatever denomination they may have adopted.

It must, however, be quite clear to all, that the Church of England stands in the first line of the battle array ; that the first shaft of Rome has been aimed at her ; and that every advantage gained over her will be regarded as a battle won without further notice of her allies. The truth is undeniable, that as in physical warfare little account is taken of any but the disciplined portion of the enemy’s line, so in spiritual warfare organization and discipline must afford decisive advantages. This advantage the Church of Rome possesses in an eminent degree. Whatever can be done by courage, zeal, strict subordination and obedience, will be accomplished. The carnal apparatus of warfare at her disposal is as immeasurably superior to ours, as we believe our spiritual panoply to be above hers in excellence. The Established Church is the only portion of our line which presents the semblance of discipline. It is indeed weak ; the commanding officers have little

power over their juniors ; but there is a corporate aptitude there which the late assault of Rome has called into life and activity. A spirit of combination has been displayed by the laity of her communion which promises well, and it has met with no trifling encouragement from the most enlightened members and ministers of the several dissenting bodies.

Yet it will appear in the sequel that the first attack has been levelled at the Church through the *Queen's supremacy*, against which, whatever theoretical objections it may be open to, it is perfectly manifest a victory would be decisive. It would be a victory, not only over the Church, but over the law of the land. No party, whether ecclesiastical or lay, has affected to deny that it is the law of the land, that the Queen of these realms is, "under God, in all causes, *ecclesiastical as well as civil*, in these her dominions supreme." The court of Rome regard this as our weak point. Many dissenting bodies deny it in the ecclesiastical sense ; a large portion of our Roman Catholic fellow-subjects have been released from acknowledging it in that sense ; and for the most part confidently believe that the Church will find no allies to defend it out of her own body, of which many members, they know, have secretly protested against it, and carried many of the laity along with them.

In order, therefore, that no misunderstanding may exist as to the character and capabilities of the position thus selected as the first object of attack, we must first ascertain what this supremacy amounts to in the law and practice of the constitution. We

may then inquire with better effect what that supremacy is which the Papists set up against it ; whether it be of the same, or of a different nature—more or less extensive or despotic—more or less liberal or restrictive of the religious liberties of the subject. It may be speculatively of greater importance to estimate rightly the character of this latter, than of the former kind of supremacy ; but practically, the question is, whether by the overthrow of the one, a path might not be opened for the admission of the other, as has been done already in Ireland with such calamitous success.

§ 7. *Supremacy of the Queen.*

We therefore proceed to inquire what is the nature and extent of her Majesty's supremacy as head of the Church according to the law and practice of the British Constitution ? This preliminary question must receive an answer before we can determine the legal character of the late Papal measure ; that is, before we can ascertain its consistency or antagonism to the Common and Statute Law of the land, by which alone—be it remembered—we, the clergy and laity of England are, or will ever consent to be bound.

For the sake of perspicuity it will not be amiss to adopt the distinction as to ecclesiastical jurisdiction proposed by Cardinal Bellarmine.* According to that celebrated divine, whose works have always been admitted as of great weight in his church, the aggregate of ecclesiastical powers is two-fold. 1. The *Potestas*

* De Pont. Rom. Lib. iv. c. 22.

Ordinis, and 2. The *Potestas Jurisdictionis*. The *first* of these includes the powers requisite to determine the doctrines and administer the sacraments of the church ; the *second* comprises two distinct powers, viz. that of preaching or instruction, which is called the *internal* jurisdiction, and the right to execute or enforce the ordinances of the church, to watch over the due performance of their duties by the clergy, and to defend the ecclesiastical system from all harm both from within and from without ; and this is called the power of *External jurisdiction*. This second item of the “Potestas Jurisdictionis” is clearly a matter external to all that is material to the constitution of a church ; it belongs entirely to that outward political authority, by which the internal and essential character of the church, its spiritual powers and attributes are preserved ; it watches over the purity of doctrine, restrains those who violate ecclesiastical law, checks encroachments upon the laws of the land, and takes care that the officials of all orders neither fall short of, nor transgress the limits of the duty assigned to them.*

The history of English constitutional law shews that our monarchs have uniformly claimed and exercised this external jurisdiction, scrupulously reserving to the churchmen the entire internal jurisdiction both of order and of indoctrination.

* This was the doctrine of the Gallican Church, as we learn from the treatises of *Claude Fauchet* (*Libertés de l’église Gallicane*, Par. 1612, p. 234, et ed. 1639, p. 179), and from that of *Charles le Faye*, (ed. 1649, p. 230.)

This view of their ecclesiastical prerogative is clearly discernible in the laws of the Saxon princes of this country from the age of Ina* to that of Edward the Confessor. King Edgar (A.D. 966) told his clergy, that "they wielded the sword of Peter, he, the sword of Constantine;" he declared that he was in his kingdom as "the diligent husbandman of the Lord,—the pastor of pastors—the vicegerent of Christ upon earth."† The same conception of the plenitude of this external jurisdiction is every where traceable in the laws and capitularies of the Frankish kings; in none so clearly as in those of Charlemagne and of his saintly son Louis the Pious.‡ The laws of our Saxon sovereigns respecting ecclesiastical affairs are numerous; they were indifferently called "Leges" and "Canones," and were all enacted by the king, with the advice and assistance of his clergy of every degree. In all cases the first movement appears to proceed from him, and from him they derive their legal character and effect. It is true that the distinctions between the internal and the external jurisdictions were not always very accurately discerned, nor that some trespasses on the proper domain of the hierarchy may not be detected. But whenever this occurs it was cured by the concurrence and assent of the

* King of Wessex; he flourished between the years 687 and 725.

† *Wilkins* Concil. Vol. I. p. 242, col. i. "Agens, Christo favente, in terris quod ipse juste egit in cœlis."

‡ The French writers usually designate him by the name of Louis Le Debonnaire. The authorities for this statement are before me.

latter, and no complaint is heard of such trespasses from any quarter.

The powers thus exercised without contradiction by the princes of France and England in the period intervening between the conversion of the Saxons and the Norman invasion are best expressed by what we understand by the *Visitatorial powers*—the right, namely, and the duty to carry into execution the laws of the church by the temporal authority of the prince ; to hold the officers of the church to the performance of their duties, if need be, by penalties and by deprivation of the temporalities ; and to remove and punish abuses of every kind without any other ecclesiastical authorization than that implied in his sovereign office. In the same power was also uniformly included the right to nominate and translate bishops, to call national councils and to preside over them in person.

Meanwhile, however, a great change had occurred on the continent of Europe. The Papal authority, effete and dormant during almost the entire course of the 10th century, had arisen from its long sleep with a power hitherto unprecedented. The laws and canons of the church had been diligently collected and arranged mostly from Roman sources,* by ecclesiastics devoted to the extension of papal

* By Rhegino of Prumes, Burchard of Worms, and Anselm of Lucca, all living between the beginning of the 10th and the latter half of the 11th century. These compilers were followed towards the close of that century by Ivo of Chartres, and a few years later by Gratian of Chiusa Tuscany.

influence, with a view to which they had embodied in their digests the whole substance of the most unjustifiable fraud and forgery ever imposed upon the ignorance and credulity of mankind—the so-called *Isidorian Decretals*. The principles of ecclesiastical domination put forth in these documents were inconsistent with the exercise of any kind of jurisdiction by the laity—indeed the utter exclusion of the latter from all church membership, except as an inert and passive herd, was one of the principal objects of that celebrated imposture. After a long struggle the pseudo-Isidorian code maintained its ground, and notwithstanding some instances of isolated resistance, was generally acknowledged by the clergy as the binding law of the church.*

Though less completely perhaps than elsewhere, the Roman canon law in this form was very commonly received in the churches of France, more especially in that of Normandy, where a complete separation of the secular and ecclesiastical jurisdictions had already taken place. On the other hand in England the only canons known to the clergy were those enacted by the national church herself, with the assent and concurrence of the sovereign. The Bishop's Court was not distinguished from the Court of the Hundred over which he presided, and in which causes civil and ecclesiastical were indiscriminately

* The several collectors inserted into their digests every thing material to their purpose that they could find in the Isidorian forgeries. See more particularly the "Decretum Gratiani," and the subsequent compilation of Pope Gregory IX.

decided.* But William of Normandy, it is well known, had solicited and obtained from Pope Alexander II. a confirmation of his title to the crown of England; and was not disinclined to oblige him or the Romanizing clergy in any matter not involving the present surrender of substantial power: Many Norman bishops and clerks followed him into his newly conquered kingdom; and, with their decretal education, it is not surprising that they should take offence at the profane contact into which they were brought with the laity in the course of their ecclesiastical ministrations.

We may fix upon this point of time as the commencement of the struggle between the Civil laws of England and the Canon or Decretal law of Rome. And it ought not to be forgotten that the latter is, with little exception, of Papal enactment; that it is compounded in nine parts out of ten of the arbitrary decretals of the Popes, intermixed with forgeries and fictions, fraudulently, ignorantly, or heedlessly introduced into the authorized collections, and that, in the absence of all contemporaneous concurrence on the part of churches or people of Christendom, this code remains to the present day the standard of ecclesiastical law for the Roman communion.

* *Twysden*, Historical Vindication of the Church of England, p. 99. *Leges Hen. I. c. 7.* The Judges in these Courts were, the Bishop, the Earl and the Sheriff, (vice-dominus), and the order of proceeding was to take first "the administration of the Law Christian, next the King's Pleas, and lastly the Pleas of private persons."

But the earlier ordinances of William the Norman for the separation of the ecclesiastical from the lay tribunals were not fully carried out till the reign of King Stephen.* In that reign a successful attempt was made to withdraw a clerk charged with murder from the cognizance of the lay judge.† But the ecclesiastical jurisdiction was never acknowledged by the king's courts. No principle of law was more zealously inculcated than that, when any question arose between the courts spiritual and temporal, to which of the two jurisdictions a cause belonged; the decision always rested with the king's judges.‡ There is good ground for believing that William himself had no intention to surrender to the church this important branch of the rights of his crown. Eadmer says of him that "all affairs, ecclesiastical as well as secular, were made to depend upon his pleasure."§ Both the Conqueror and his successors down to John endeavoured indeed to steer a middle course between canonism and prerogative. In their ignorant anxiety to stand well with their Romanizing

* *Twysden*, Vindication, &c. p. 101.

† The case of Symphorian, a clerk of the Cathedral at York, charged with the murder of Archbishop William by poison in the year 1154.

‡ *Bracton*, Lib. v. c. 15. § 3. "Iudex ecclesiasticus cum prohibitionem a rege susceperit, supersedere debet in omni casu; saltem donec consteterit in curiâ regis ad quem pertineat jurisdictio."

§ *Eadmer*, p. 6, 21. "Cuncta, divina simul et humana ejus nutum expectabat."

clergy, they unconsciously took steps which may have endangered, but could not vary either the law of the land, or the rights of the Crown. Not one of these princes was to be driven to any legislative measure in any degree trenching upon the law as it stood. In the bitter quarrel between Henry I. and Archbishop Anselm of Canterbury, that prince stoutly maintained his prerogative right to determine which of two rival pretenders to the Papacy the clergy of his dominions should acknowledge.* And when Anselm without the king's consent insisted upon transferring his allegiance to Urban II. in preference of his rival Clement III. and asserted his right to sue out his pallium from the former in preference to the latter of these Pontiffs, Henry bluntly informed him that "he knew of no law or custom entitling any subject without his (the king's) licence to set up a Pope of his own over the kingdom of England; and that any man who should presume to take out of his hands the decision of that question might as well take the crown from his head." The Archbishop, still persisting in his disobedience, was informed that the act would be regarded as a violation of his allegiance, and "that it would be vain to attempt to reconcile his fealty to the king with obedience to the Apostolical See against the will of the Sovereign."† The Archbishop, however

* *Eadmer*, Ed. 1623, p. 25.

† "Nequaquam fidem quam regi debebat, simul et Apostolicæ sedis obedientiam contra ejus (Regis) voluntatem servare." *Eadmer*, ubi sup. Anselm himself in his

persisted, and quitted the kingdom on his way to Rome. The temporalities of his see were immediately and legally seized into the hands of the king.

The struggle between Henry I. and Anselm, was long and obstinate. In the sequel it came to turn upon the question of investitures. The kings of England like their continental neighbours, had hitherto been in the habit of giving investiture of bishoprics, abbeys, and higher ecclesiastical appointments by the delivery of the emblematic ring and crozier. These, it was contended by the Court of Rome, were spiritual tokens, and the transmission of them by lay hands, a desecration and a sacrilege. Anselm therefore refused to receive investiture in this form; but in the end, with the consent of Paschal II., agreed to do homage to the king for the temporalities of his see, Henry abandoning investiture by the ring and crozier. The only change effected in the ecclesiastical practice in England by this step, was the substitution of personal homage and fealty for the prior form of investiture. The real object of the Pope was defeated, the disposal of the temporalities remained in the Crown, and with it effectively the power of appointment to the sees of his kingdom.*

While the contest between Henry and Anselm address to the Synod at Ilingham, near Shaftesbury, reports the expressions of the king even more strongly.

* The Pope's consent was given with a very bad grace. He permitted the prelate to do homage, but only "*donec per omnipotentis Domini gratiam ad hoc omittendum cor regium molliatur.*"

was undecided, a Papal minister arrived on the coast, alleging that he was entrusted with a legantine power over all England, from the Pope. The king however held it to be a special prerogative of his Crown, to accept or to reject at his pleasure such interferences with the ordinary ecclesiastical government of the country by a foreign prince ; and the legate was sent out of the country, without having been admitted to the presence of the king.

About fifteen years after this, the same Pope (Paschal II.) made a second attempt to introduce the legantine power into the kingdom ; but with no better success. The interposition of a foreign jurisdiction superseding the ordinary powers of the Church, was equally unpopular among the clergy and the laity. This legate, like his predecessor, was not permitted to land in England. The king indeed thought fit subsequently to permit his clergy to attend a Council convoked by Pope Calixtus II. at Rheims (A.D. 1119), but with an express prohibition to carry their causes either original, or in the shape of appeals, before the Pope. "Go," he said, "salute the Pope in my name, listen humbly to the Apostolic precepts, but beware how he or you attempt to introduce innovations into my kingdom." The principle of Henry's conduct in truth was, that commands from Rome were of no force in England, unless they came with the stamp of the royal approbation and consent.

A third attempt of the same kind by the same pontiff was equally unsuccessful. It was indeed by this time pretty well understood that the law

and custom of England repudiated the legantine commission as an illegal interference with the ordinary course of ecclesiastical government which the law had placed under the superintendence of the sovereign.* That the popes should in the preceding, as in subsequent ages, hold language implying that the rights exercised by the kings of England in the government of the Church were so exercised by virtue of grants or concessions from themselves cannot alter the fact that they were claimed by the sovereign and admitted by the nation, in virtue of the law and custom of the realm; an authority abhorrent from all claim of superiority or equality, whether proceeding from foreign priest or prince, or any other external power. The law upon this subject is well expressed in a letter of the Anglican prelates to Thomas à Becket in the year 1167: "The king," say they, "is set up by God that he may above all things provide for the peace of the churches, and of the people entrusted to him, that he may preserve the prerogatives of the crown enjoyed by his predecessors, and compel their observance to himself personally." And in fact, as to

* Although the writers of the age in describing or alluding to the acts of the crown in ecclesiastical affairs sometimes use the terms "collata," "impetrata," "permissa"—which may be thought to imply a delegated power from the Holy See for what they did; yet they as often describe acts of authority by the King as "*antiquæ Angliæ consuetudines*,"—"libertates regni, &c. Henry himself certainly knew them by no other description than "*dignitates, usus, consuetudines quas Pater ejus in regno habuit*."

all matters pertaining to the external police of the church the supremacy of the crown was acknowledged, even in that age of struggles and animosities, both by clergy and laity.

Until the anarchical reign of Stephen the efforts of the crown for the preservation of its ecclesiastical prerogative were tolerably successful. In the second year of the pontificate of Honorius II. (A. D. 1125), it is true, a Cardinal legate made his appearance in England, and with unheard of insolence presumed to take precedence of the Archbishop of Canterbury in his own cathedral, thereby superseding the Primate and setting up the supremacy of a commission derived immediately from a foreign court. The Anglican prelates fully understood the drift of the Papal movement; and at a Synod held in London under the presidency of the legate himself, protested vehemently against the presumptuous arrogance of a foreign priest in taking upon himself to occupy the presidential throne above archbishops, bishops and abbots, and the assembled nobility of the whole realm of England. But Henry I., then in Normandy, had imprudently given his permission to the legate to pass into England, and thereby afforded an advantage to the Roman enemy which, though legally ineffectual, could not but operate to the disadvantage of his church. A timid and time-serving spirit was creeping into the heart of the Anglican Church. The Archbishop, instead of boldly availing himself of the public indignation at the outrage inflicted upon the lawful dignity and jurisdiction of his primacy, re-

sorted to Rome for his remedy, and fetched from thence a full legantine commission for himself, by which step, at least during his own lifetime, he secured himself against further interference from that quarter, but withal sacrificed for his own person the independence of his See, together with the prescriptive *legal* rights thereunto annexed.

It would be absurd, however, to contend, that this treasonable act could operate in any way to vary or affect the civil or ecclesiastical polity of England, or the prerogatives of the See of Canterbury founded upon that polity, unless it could be shewn that an act of the Pope was of authority to change the law of the land without the concurrence of the Sovereign and the body of the realm.* Certainly no English subject will, I apprehend, be found now-a-days to look to any other authorities than the laws and customs of the kingdom to ascertain the rights of the Crown of England in respect of the Church of England.† The historical student need not, I think, be

* *Twysden*, ubi supr. p. 22 to 25.

† Henry V., a monarch who cannot be accused of want of reverence for the Papacy, entertained no meaner opinion of his own supremacy. When the envoys of that prince demanded the assent of Pope Martin V. to several particulars touching the Church of England, the hesitations of the Pontiff were put an end to by the declaration of the envoys, that if he refused his concurrence they were instructed to assure him that the king would nevertheless, in all these particulars, act upon his own prerogative, and that in preferring this request the king had acted, not from any presumed necessity, but simply out of respect and deference for the Pope. *Twysden*, ubi supr. p. 17.

reminded that periods of national discord and confusion are precisely those in which the greatest advances of the Papal power have been effected. The profligate and tyrannical conduct of many of our princes afforded invaluable opportunities for encroachment. The unsettled condition of the people under the earlier kings of the Norman line, the prevailing ignorance and superstition of the masses, diverted the nation's attention from the movements of Rome, and prevented any clear perception of their pernicious and unconstitutional character. The kings, on the other hand, were so intimidated by the temporal influence derived by the Popes from party connections and intrigues both in Church and State, as rarely to oppose decisive resistance to the most obvious attempts to subjugate both. During the entire period which elapsed between the accession of Stephen and that of Edward I. (A. D. 1135 to 1273) their opportunities for disturbing the Government, exciting discontent among its subjects, and unsettling the public conscience—their unsparing use of spiritual censures and excommunications—their inveterate habit of treating the civil powers as simple instruments for the promotion of ecclesiastical despotism—all these things kept the State and Government of the country in perpetual fever of agitation and alarm. Every year of this period unfolds some fresh proof of the temporal tendency of the Papal system. The history of the Church of Rome within this century and a half exhibits a series of purely political advances, disguised under her spiritual claims, which, but for her own errors, must

have consummated the gigantic scheme of theocratic policy first broached by Hildebrand, and brought to perfection by the daring genius of Innocent III.

In the reign of Stephen the legantine power was fastened upon the kingdom in the person of his brother Henry bishop of Winchester. As legate of the Holy See that prelate took upon himself, in fraud of the king's prerogative and of the bishops' courts, to hear and determine appeals to Rome in ecclesiastical causes. Though till now unknown in England, appeals to the Pope became so frequent in this reign that both clergy and laity began to regard them as an oppressive innovation upon the rights of the national Church. At length, in the 11th year of Henry II. (1164), the general discontent found its proper issue in a solemn act of the national legislature, declaratory of the ancient law and custom of the realm, and utterly subversive of all the later encroachments of Rome. This statute is known to us as the celebrated *Constitutions of Clarendon*.

By this enactment the King, with the assent of his barons and lieges, ecclesiastical and lay, set out and declared certain parts and portions of the customs and liberties of his predecessors in respect of the Church of England, more especially those of his grandfather Henry I., and recited those of them which of right ought to be observed in this kingdom; with a view to settle the dissensions and discords which had then of late so frequently arisen between the clergy, the Justiciaries of the king and the nobility of the realm. It was therefore enacted, 1. That all suits respecting presentations and advowsons of churches

should be heard in the first instance, in the king's courts : 2. That no churches in fee of the king should be given away without his consent : 3. Clerks accused in any matter before the king's justiciaries, shall come into his court and make answer to all such things as shall be objected to them ; and if the matter shall appear to be of ecclesiastical cognizance, it shall be by them remitted to the spiritual court : 4. Archbishops, bishops, and office-bearers of the crown, shall not depart the realm to go to Rome or elsewhere, without the king's licence : 5. No person holding in capite of the crown, nor any of his servants shall be excommunicated, or their lands placed under interdict without advising with the king thereupon : 6. All appeals in ecclesiastical causes shall proceed in regular gradation from the court of the archdeacon to that of the bishop ; from him there shall be an appeal to the archbishop ; and if there shall be a failure of justice in the last of these courts, appeal shall be had to the king himself in the court of the archbishop ; no further appeal to be lawful without express consent of the crown : 7. All actions respecting lands to be brought, in the first instance, in the lords' court or that of the king ; if the land be there found to be of lay tenure, the decision to rest with the temporal courts ; if of spiritual tenure, the plea of right to be remitted to the court christian : 8. Archbishops and bishops shall hold their sees of the king by tenure of barony ; they shall be responsible for their conduct as barons to the justiciaries and ministers of the king ; they shall follow and perform all the dues and duties of their baronies, and shall

attend the king's courts and person like other barons : 9. The rents and profits of all vacant sees, abbeys, and priories shall, during vacancy, flow into the king's exchequer : 10. When such a vacancy shall occur, the chief clergy of the church to be filled up shall appear to the king's summons, and there in his chapel, by his consent, and by the advice of the persons whom he shall appoint, proceed to elect a successor to the benefice ; the person so elected, then and there to do homage to the king for the same.*

Becket was for the moment driven out of his course of resistance by the unanimity of the National Council, and reluctantly subscribed the Constitutions of Clarendon. But Henry imprudently permitted him to resort to Pope Alexander III., who was at that moment holding a Council at Sens in France. Becket applied to the pontiff for a pardon and dispensation from the uncanonical obligation he had incurred by assenting to the Constitutions of Clarendon. Alexander readily granted both, and in the "fulness of his pontifical authority," set aside and annulled a statute of the realm of England. Henry II. did his best to exasperate the quarrel ; he stopped the payment of the benevolence annually paid to Rome under the name of ' Peter's pence ;' sequestered all the temporalities of the See of Canterbury, and banished the adherents and relatives of the archbishop.

No man living more thoroughly understood, or more heartily adopted the whole spirit of the papal scheme than Archbishop Becket. The canons of

* *Matth. Paris.* Ed. Watts, 1784, p. 84, 85.

Rome were his gospel, and none had more diligently studied them; no one had more faithfully devoted himself to their advocacy. He replied to the unworthy persecutions of Henry II. in a tone of haughty defiance. He reminded the king that "sovereigns were after all but the creatures and servants of the church; priests, he said, were the fathers and the masters of all earthly princes and people; sons cannot hold their fathers, or pupils their masters, in bondage; neither may kings bind or loose those by whom they themselves are to be finally bound and loosed; no human law hath any power over a priest; no human judge, be he king or noble, shall dare to lay hands upon him; for it is the duty of kings and nobles humbly to bow before him and cherish him; yea, kings and emperors have been, before now, bound by him in the bond of excommunication."*

This language was strictly canonical, although it was not yet fully comprehended by Government, or Church in England. But Becket sacrificed his life in the cause of canonism, and no man can doubt the sincerity of his convictions. A better witness could not be desired; but his testimony, though at first it terrified a prince of infirm moral habits, and alarmed the superstition of the community, made few converts in this country. Scarcely six years after the murder of Becket, the Constitutions

* Becket alluded here to the excommunication of the Emperor Henry IV. by Gregory VII. in 1076, and the like course then lately pursued by Pope Alexander III. against the Emperor Frederick I. (Barbarossa) in 1161.

of Clarendon were again confirmed by the great council of the kingdom, and severe penalties were enacted against persons quitting the realm to carry appeals to Rome—the very cause in which Becket suffered martyrdom.* The statutes of Clarendon remained unaltered during the reign of Richard Cœur de Lion. But in that of his wretched brother John the power of the crown suffered a defeat which under other circumstances might have been fatal. John surrendered his crown into the hands of the Pope to purchase the privilege of worrying and plundering his subjects. But the Barons who had assented to this base act, to protect themselves against his tyranny, were now deserted by their patron the Pope, and were driven to assert the ancient rights of the kingdom by their own unaided efforts against both Pope and king. John was compelled to sign the Great Charter declaratory of the national liberties. The first article of that act provided that the Church of England should be free, and enjoy all its rights and liberties inviolable, a provision levelled against the lawless invasion of ecclesiastical endowments committed by the tyrant on the throne.† The Great Charter at the same

* How perfectly the language and conduct of Becket tallied with the language held by Innocent III. to king John appears from Southey's extracts from the letter of that Pope to the King upon the arbitrary appointment of Cardinal Langton to the See of Canterbury in defiance of the Chapter of Canterbury, the bishops of the province and the royal will. See *Southey*, Book of the Church, vol. i. p. 269.

† Coke's 2 Inst. p. 3.

time repealed the prohibition against carrying appeals to Rome, and opened a door to numerous abuses which must be referred to in the sequel. In this place it is particularly to be observed that Innocent III. who now regarded England as a fief of the Holy See, and John as his sworn servant and vassal, took upon himself to annul the Great Charter and to excommunicate the members of the National Council by whom it had been enacted; thus undisguisedly, and with every form of sovereign authority with which the act could be clothed, repealing a solemn statute of the realm, and claiming secular power within the kingdom, overriding all law, and equally inconsistent with the existence of either civil or religious liberty.*

§. 8. *Struggle between Canonism and Prerogative.*

The Constitutions of Clarendon fairly represent the state of the royal prerogative in ecclesiastical matters down to the date of Magna Charta. But that great document of liberties was extorted from King

* The provision in §. 50 of the Great Charter was, it is believed, made expressly to prevent any impediment to resorting to Rome in order to enter appeals in ecclesiastical causes. See *Twysden*, p. 33. The bull against the Barons declares that England is a fief of the Holy See; that the Barons have no right to give away the rights of the crown without the assent of the feudal lord; they were therefore rebels: wherefore as he "whom God had appointed over nations and kingdoms to pluck up and to destroy, to build and to plant, he annulled what they had done, &c."

John by an unhappy alliance with Rome, an alliance which began and ended in the degradation of the crown, and a vast extension of the Papal influence in ecclesiastical affairs.

But all this time the law of the land fortunately remained untouched, though its practice was in a great degree obscured by the prevalence of Canonism, introduced by the Romanizing clergy. Whenever any abuse became intolerable, the law, imprinted in the hearts and memories of the people, was at hand to strengthen remonstrance by argument, and to encounter the presumption that any length of practice can legalize an abuse.

The first malpractice which drew on it the attention of the crown and people of England was that of appeals to Rome. The envoys of Henry III. to the Council of Lyons in 1245, presented a spirited remonstrance to Pope Innocent IV. upon the grievance of appeals, and at the same time invoked the law of the land against the admission of Papal legates into the kingdom without the king's licence. No one, they declared, was liable or ought by law to be dragged out of the kingdom to answer to a foreign judge for his conduct at home. This remonstrance, however, produced no adequate remedy. Little improvement in the practice took place until Edward I. in his renewal of the Great Charter, omitted the clause by which the subject was allowed to go beyond seas without the consent of the king; thus reviving the law as it stood under the Constitutions of Clarendon. Thenceforward no one could arbitrarily withdraw his cause from the cognizance

of the king's courts, or that of the ordinary spiritual tribunals, without the express licence of the crown ; and all who thus far presumed might be compelled to sue out a pardon for the offence.

But this abuse dwindled into insignificance when compared with others brought upon the people by the state of spiritual thralldom into which they had been plunged by the combined influence of ignorance, oppression, and tyranny. The systematic efforts to reduce the Church and clergy of England to the level of subserviency to which the kingdom had fallen under the government of John, ended in the transfer of all the richest benefices, including archbishoprics, bishoprics, and abbeys, into the absolute disposal of the Pope. The process by which this consummation was accomplished is remarkable for its illegal and surreptitious character.

The Archbishop of Canterbury, as Primate of England, enjoyed by law the completest exemption from all foreign control. But the Popes availing themselves of the respectful homage paid to them, as the senior bishops of Christendom, received every such act of reverential attachment, as an acknowledgment of spiritual supremacy. The primates of England had in this way kept up an intercourse of mutual advice and affection, almost from the first establishment of Christianity in the island. The account against them for all this ran up at Rome to a fearful amount ; and as soon as the Conquest had smoothed the path, payment was demanded to the uttermost farthing. Though it was not very easy at once to recover the whole debt,

yet the two Hildebrandine archbishops Lanfranc and Anselm, lent them no inconsiderable assistance in bearding the crown, and building up a strong canonist party among the clergy of England. A beginning was made with the monasteries. Lanfranc procured the exemption of many of the greater conventual bodies from episcopal control. The ambition of these bodies had always been to be their own ordinaries; they preferred a distant master to one on the spot; and for that consideration sold themselves without reservation to Rome. By this means the Pope obtained a numerous and able body of adherents, always acting under the consciousness of inability to maintain their long coveted exemptions without his aid.

Innocent III., to whom the largest strides towards the accomplishment of the entire Papal scheme may be attributed, had managed to effect the transfer of the election of the Archbishop primate, from the bishops of the province to the monks and canons of the convent of St. Augustine attached to the Metropolitan Church. The same process gradually threw the episcopal elections throughout both provinces, into the hands of the canons regular of the cathedral churches. The Hildebrandine scheme was beginning to fructify in an accession of power and wealth to Rome. The freedom of election, for which Gregory VII. had fought with infinite resolution and pertinacity, was by this device effectually overthrown; the king was divested of his customary right of nomination to vacant sees and abbeys, but without restoring it to the bishops,

clergy, and commonalty of provinces and dioceses, to whom, by the common law of the Church, it belonged. The regulars upon whom that right had now devolved were devoted canonists, the humblest class of dependants upon Rome; and soon were themselves made to drink deeply of the bitter cup they had administered to the bishops. The Popes, after a brief pause, began to set aside all forms of election, “ex concessio plenitudinis ecclesiasticæ potestatis,” and to grant out in various ways all the richest benefices in the kingdom to favourites and dependants.*

But the chain which was to fetter the Church of England to the footstool of the Papacy, was not yet deemed strong enough to break the neck of resistance among the headstrong population of Britain. The invention of the Pallium, a very ancient symbol of the metropolitan dignity was made subservient to that purpose. The nature and significance of this ornament must come under consideration hereafter, in connection with the principal subject of this discourse. It is sufficient to observe in this place that it was holden by the Canonists that without it there can be no valid exercise of the archiepiscopal powers. The pallium, though originally regarded as a simple testimonial of spiritual regard and affection from the first bishop of the Christian

* See Bulla Greg. IX. ap. *Matth. Paris*, Ed. Watts, p. 299, 300. It is said by Matth. Paris that during the three years, that Otho, the legate of Gregory IX. sojourned in England, he bestowed more than 300 ecclesiastical benefices.

world to his favoured brethren at a distance, became at length a mode of conveying such a share of the plenitude of the Apostolic authority residing in the See of Peter, as was deemed essential to the exercise of the metropolitan office. Since the Conquest, every Archbishop of Canterbury or York sued out his pallium at Rome; most frequently in person. The Popes at a very early period* began to annex to the delivery of the pallium a specific oath of temporal allegiance to the Holy See. Within a little more than a century from this time, the same oath was exacted from all bishops and abbots, in addition to the money price then usually paid for the Papal confirmation.† But more than this;—bishops and abbots were at length compelled, under grievous penalties, spiritual and temporal, to appear before the Pope in person, to sue for the confirmation of their elections; and to that end several severe canons were enacted in the so-called General Councils of 1215 and 1245.‡ All these measures answered the double purpose of extending the Papal influence and

* That of Ralph or Radulph, Archb. of Canterbury is the first case on record. (A.D. 1115.)

† The words of this oath as reported by Matth. Paris, (Hist. Maj. Ed. Watts, p. 349, 35), are almost word for word a transcript of the oath of feudal allegiance of subjects to their sovereigns. "I swear that I will be faithful and obedient to the Holy Roman church, and to our Lord N. and his successors canonically appointed." See also *Matth. Paris*, Vitæ Abbat. S. Alban, p. 1067, 1069.

‡ Under Innocent III. and Innocent IV.

enriching the Papal treasury by an organized system of assessment and collection, agreeing with the then current canonical theory of the chair of Peter. We must refer to that theory hereafter for another purpose, observing only in this place that the Papacy was, under the fostering care of the Canonists, fast growing to the full stature, and assuming all the attributes of a universal temporal sovereignty, to which the idea of territorial revenue commensurate with the extent of its presumed dominion naturally — necessarily, attached itself. Several kingdoms in Europe, among the rest England, were regarded at Rome as tributary states, and in that capacity as much a part and portion of the patrimony of St. Peter as the Italian territories comprised in the donations of Pepin or Charlemagne. We have now to inquire how that theory worked in practice ; we shall trace to its operation the establishment of a system of rapacity, venality and extortion without a parallel in the history of nations ; and probably in the end convince ourselves that to the intolerable abuses it introduced, we are indebted for the restoration of the lawful supremacy of the crown and the ultimate liberation of the country from the incubus of Papal tyranny.

Bearing, then, in mind that by the systematic disparagement of the metropolitan jurisdiction ; by fettering archbishops and bishops with the oath of fealty ; by removing abbots, priors and convents from episcopal control ; by placing perpetual impediments in the way of the “ common law ” of the church through the interposition of legates a latere ;

more than all, by taking advantage of the internal distempers of the state, arraying king against nobles, and nobles against the king, the court of Rome had succeeded, first in wresting investitures out of the hands of the sovereigns of Europe, and afterwards appropriating all the richest and most important benefices to itself—we have now to see what use it made of the enormous powers thus usurped.

The earliest financial claim of that court upon England, was based upon the payment of ‘Peter’s pence.’ This payment arose in the Saxon era, and was regarded strictly as a benevolence or almsgiving from the monarch to the See of Peter for the benefit of his own soul, and the spiritual welfare of his people.* Some of our own early writers described this impost as the “*Tributum S. Petri.*” The Canonists improved upon the idea suggested by this word, and at length contended that the payment implied an acknowledgment by the king, on behalf of his kingdom, that he was “*Tributarius feudatarius S. Petro ejusque successoribus.*”† Indeed, the antiquity of the payment, the unfrequent interruptions, and those owing rather to political quarrels with the see of Rome, than to any denial of the charitable obligation,

* *Hoveden.* “De Denario S. Petri, qui Anglicé dicitur ‘Romescot.’” *Savile*, p. 603.

† *Tuysden*, p. 74. from Will. of Malmsbury. That writer says, that the envoy of Henry I. to Rome in the cause of Anselm of Canterbury, acknowledged “*Angliam peculiarem esse Romanæ ecclesiæ provinciam, et ei quotannis tributum pensitare.*” *Malmsb. ap. Savile*, p. 226, 20 to 30.

gave it the semblance of a debt or annuity of right due from the kingdom of England to the chair of Peter. But a donation of a charitable nature, however binding or imperative, cannot be converted into a tribute implying political subjection. Yet when taken in conjunction with the surrender of his crown by King John, it might furnish a case for argument, more especially upon canonical principles—by which the most trivial presumptions of fact are constantly substituted for conclusions of law—provided it could be shewn that John could legally transfer his crown to a stranger. On any other supposition the payment of Peter's pence by him and his successors is valueless in argument.*

But the mind of Rome was made up upon this subject sometime before the successful mission of Cardinal Pandulph in England. In the year 1183 Pope Lucius III. called upon King Henry II. the clergy and all other Christian people to supply him with a subsidy to carry on the war in which he was engaged with his own rebellious subjects. The clergy, not as yet quite broken in to the yoke, declined any direct contribution to the necessities of the Pope, but offered the King a sum of money to be transmitted to Rome as from himself, alleging as their reason that they did not wish to see any Nuncio of the Pope in England to fleece them.† This advice was followed and the money was paid. So likewise a year or two afterwards Pope Clement

* *Twysden*, 76.

† *Hoveden ap. Savile*, p. 622, 14 to 25.

III. addressed the like application to Henry (1187); and Pope Innocent III., to king John in 1201 for the carrying on of the Holy Wars in Palestine. But the latter pontiff—always in advance of his predecessors in the career of encroachment—managed upon this occasion to introduce his agents and collectors into the country to assist in the levy, whereby he was enabled to appropriate a portion of the funds to his own use, and to furnish a profitable job for his dependants.* The same process was repeated in 1206,† and the contemptible coward upon the throne bespoke the favourable consideration of the haughty Innocent upon the ground that the monarch of a kingdom from which both he and his courtiers derived a richer revenue than from all the regions on that side of the Alps taken together, was entitled to more regard than to have an Archbishop (Langton) whom he did not know forced upon him.‡ In the year 1229 again, Gregory IX. demanded of the kingdom a tenth of all revenues, both lay and ecclesiastical, to enable him to carry on his internecine war with the imperial house of Hohenstauffen. The laity declined; the clergy yielded with reluctance, and about eleven years afterwards

* *Matth. Paris*, Ann. 1202, p. 174, 62, 63.

† *Matth. Paris*, Ann. 1206, p. 180, 25 to 30. “Johannes Ferentinus Apost. Sed. legatus veniens in Angliam, eamque perlustrans, magnam pecuniæ summam conguessit... quo facto, sarcinulis cum magna cautela dispositis et prudenter commendatis, festinus viator ad mare perveniens, Angliam a tergo salutavit.”

‡ *M. Paris*, Ann. 1207, p. 188, 34 to 38.

were rewarded by a second demand of a *fifth* of all their moveables—to make up, so we conjecture, for the total absence of fidelity and obedience, estimated in hard cash, for which the English were so severely censured by the Roman Curia.* Henry III. was indeed anxious to get rid of the Papal legate, but the latter clung to his lucrative office, and the King when pressed upon the subject by the envoys of the Emperor Frederick II. declared that as liegeman and vassal of Rome he could not interfere with the legate's proceedings. In the result the Pope carried his point; clergy and laity were assessed alike to enable him to carry on a war of purely secular ambition against a foreign sovereign, the ally and relative of their king. At the departure of the legate in the following year, it was said, he carried away as much ready cash as he left behind in the kingdom. Not long afterwards, Innocent IV. (A.D. 1246), levied an impost upon the religious houses in this country for the undisguised purpose of paying the troops engaged in his own domestic and foreign wars.

These precedents of *general taxation* were more than sufficient for the canonists. At Rome, a *bona fide* conviction prevailed that England was part and portion of the patrimony of St. Peter, and the impatience of the Curia was exasperated to fury at the obstacles they encountered in drawing *ad libitum* both upon clergy and laity.† But fortu-

* *M. Paris*, Ann. 1229, p. 304, 305. Id. Ann. 1240, p. 469, 20 to 60.

† See *M. Paris*, Ann. 1229, 304, 305.

nately the English law and lawyers took as little heed of their claims as they of any other law than the canons, and the principles deducible from them. The common law still opposed an insurmountable barrier to any regular well organized scheme of taxation, other than that sanctioned by Magna Charta and the usages of the realm. The Popes were therefore driven to irregular, and perhaps on that account more vexatious modes of filling their treasury, and satisfying the insatiable cravings of their creatures and dependants.

The transfer of benefices under a variety of pretexts from the king and lay patrons to the Curia, the extortions for the pallium, for confirmations and the expenses attendant upon frequent journeys to Rome—a very convenient expedient for ascertaining the squeezable character and capacities of the country—exhausted the patience both of clergy and laity. At the Council of Lyons in 1245, the English prelates complained that not less than 60,000 marks were annually carried out of the country by the Pope's Italian beneficiaries, besides other sums from different sources. In the following year they reiterated their complaints, but with like ill success on both occasions.*

The indignation of all classes had, however, by this time become loud and general enough to awaken Henry from his lethargic submission. In 1246 he plucked up courage to prohibit the payment of all talliages and aids to the Pope.† All Europe, in

* *Matth. Paris*, Ann. 1245, p. 585, 586. Id. Ann. 1246, p. 618, 619.

† *Ibid.* Ann. 1246, p. 619.

fact, about this time rang with bitter invectives against the rapacity of the Pontiffs, and the boundless extortions of the Roman curia.*

But aids and talliages were not in themselves sufficient to account for the drain of specie complained of. Yet as on the one hand they implied a more serious attack upon the temporal prerogative of the crown, the power of levying them was the more flattering to the pretensions of the Pope to paramount sovereignty over the kingdom. After the above mentioned reproof, however, we hear of no similar attempts on the part of Rome. But throughout the reigns of Henry III. and his successors Edward I. and Edward II. little improvement is to be traced in the state of the Anglican Church. The favourite modes of disposing of the Church revenues were those of *provisions* and *reservations*. A provision was a grant of survivorship of a particular benefice by the Pope to an ecclesiastic thereunto previously named—sometimes to youths or children, occasionally to persons as yet unborn. Reservation was effected by keeping a benefice open until it suited the Pope to appoint to it, with a claim to the revenues accruing during the period of vacancy.†

* See *Matth. Paris's* naive description of the deputation of the monks of St. Albans to Rome in the cause of Abbot John. *Vitæ Abbot. S. Alb.* p. 1067.

† Provisions, as the name imports, were modes of providing for those who served the papacy with zeal or ability, or of enriching favourites and relatives at the expense of sovereigns and private patrons; sometimes they assumed the shape of annuities reserved upon the reve-

A very ancient benevolence to the See of Rome generally, though perhaps in the earlier periods not universally paid, was known by the name of First-fruits, and consisted of a sum equal to the first year's income of every benefice in the hands of a new incumbent. Annates or Tenths, were the tythe of the annual revenue of all sees and livings,—like Peter's pence and First-fruits, originally a simple eleemosynary payment, but in the same way gradually converted into a canonical tax,—were imposts submitted to by the clergy, and connived at by the king. The pontiffs were in the habit of maintaining a number of agents in this country, known by the name of procurators and collectors, with a view to the more effectual collection of the revenue arising from these sources. But these officers did not escape the vigilance of the English princes. Under the pretence of collecting for him they shared the spoil with the Pope, and to this circumstance we may attribute the long continuance of abuses which must otherwise have sunk under their own weight.

At length a better era seemed to dawn upon the Anglican Church. The publication of Papal bulls had proved a serious obstacle to the administration of justice; excommunications and interdicts against princes and ministers of the crown irritated and

nues of abbeys and other benefices; they were universal throughout the Latin communion during the middle ages, and rested solely upon the "plenitude of the apostolical authority," by simply annulling and setting at naught all other public or private rights. Comp. *Du Cange*, Gloss. Vocibus 'Provisio' and 'Reservatio.'

perplexed the Government; bulls of provision, reservation, survivorships, and annuities; bulls for the exemption of monasteries from episcopal supervision; for the appointment of procurators and collectors, and a variety of other objects connected with the system of illegal taxation established upon the sole authority of Rome; the custom of interfering with the ordinary course of Church Government, and pushing the Sovereign and the Primate from the seat they had always occupied in the ecclesiastical Synods of the realm; the frightful results of the immunities from secular responsibility claimed by the Papal canonists for the clergy; and lastly, the extortions of the Pope and his agents, the drain of specie out of the country to enrich the minions of a foreign court,—all these indignities operated at length to recall the attention of the people to the laws of the land, and to convince them of the necessity of preventing the pernicious system, growing out of their own superstitions and discords, from expanding itself to the total overthrow of their laws and liberties.

The law of England always looked upon the introduction and publication of Papal bulls in this country with extreme jealousy. There is no principle of the common law clearer than that no such instrument could be legally brought into this country without the express permission of the Sovereign.*

* See the proceedings against the Bishops of Norwich and London for interdicting the lands of Hugh, Earl of Chester, in obedience to the Pope's bull, and in contempt

King Edward I. could with difficulty be persuaded to spare the life of a person who had dared to introduce a bull calculated to create disturbance in the kingdom; and his grandson, Edward III. actually put to death several persons for the like offence.* In the reign of the latter the complaints of the nation became more frequent. In the lists of grievances exhibited in the rolls of Parliament under that prince none appears more frequently than that of Papal provisions. The king himself became incensed at the surreptitious abstraction of those presentations and advowsons which had been from all times, and still were by law attached to the crown. He directed Pope Clement VI. to be informed that it was the law and custom of the realm of England that all elections to vacant sees should take place with the consent and in the presence of the Sovereign. In the Parliament of the 25 Ed. III. the Commons expressed bitter resentment against provisions; they told the king that the Court of Rome had by such instruments reserved to itself all the abbeys and priories, all the prebends of cathedral churches and all the richest benefices of the kingdom.† This remonstrance produced the first Statute of

of the Constitutions of Clarendon (A.D. 1164), *Matth. Paris*. Ed. Watts, p. 86, 87.

* *Twysden*, p. 67.—*Walsingham*, Hist. Angl. Ann. 1358, p. 145, ap. *Camden*, Anglica, Hybernica, &c. p. 522, Ed. Frankf. 1602.

† Rot. Parl. 25 Ed. III. Ed. of Rec. Comm. vol. ii. p. 228.

Provisors which is annexed to the roll of that Parliament.* The preamble states that “the Pope hath ‘accroached’ to himself not merely the presentation but the *sovereign right or lordship* over bishoprics, abbeys, priories, benefices, and religious foundations of every kind: that he had given and granted the same to aliens not domiciled in the country, and to *Cardinals who could not reside there*, in the same manner and as fully as if he were in rightful possession of the patronage and advowson of the said dignities and benefices, the which is *contrary to the law of England*, and in prejudice of the rightful owners; so that if such practice be allowed to prevail, soon there will not remain a single living in England which, by the method of Provision, shall not have fallen into the hands of aliens or denizens, against the intention of the founders, to the ruin of the Church of England, the disinherison of the king and his heirs, as also of the nobility, the patrons and founders kin, to the scandal and *overthrow of the law, and franchises of the kingdom*, the great injury of souls, and the ultimate ruin of the kingdom.” Reciting further that prior to the grant of free election to the chapters of cathedrals and abbeys, the free disposal and presentment to all churches of royal foundation was absolutely vested in the king as prime grants; the statute enacts, that the chapters shall in all cases apply to the crown for a *cong   d’elire*, and present the clerk of their choice to the king for his approval;

† Ibid. n. 46. p. 232.

reserving to him the free presentation, for that turn, of all such benefices as should have been at that time the subjects of any unexecuted Papal reservation or provision.

This led to the statutes of 27th and 28th Edward III., in *pari materiâ*. In the latter years of his reign however, Edward III. came to an understanding with Pope Gregory XI., whereby it was agreed that the latter should not in future make any more reservations in this kingdom. But the Parliaments declined placing any confidence in Rome, and petitioned the king not to permit either Pope or Cardinal, to maintain any procurators or collectors in England, upon pain of life and limb.* Yet the concordat or agreement appears to have given little satisfaction to the country ; and in the 50th Edward III., the Commons renewed their complaints. The petition presented on that occasion, contains a full statement of the law of the land regarding advowsons and presentations, and proceeds to set forth the consequences of the Papal aggressions, in terms of the severest reprobation. "It should be considered," say they, "that the Church of England was in ancient times founded by the kings, nobles, and Christian people of this realm, and by them endowed with rich rentals, lands, and great possessions, together with many franchises, and all other temporalities thereunto annexed ; which possessions, together with those given and granted by the king, amount to more than a third part of the kingdom ;

* *Twysden*, p. 62, 64.

that all these things were given to the intent that the profits arising therefrom should be expended on the spots where they are produced, to the honour of God, the maintenance of churches, and in hospitality, alms and works of charity : that the kings and other great men of the realm had heretofore, in consideration of these great gifts to holy Church, been in peaceable possession of the rights of advowson and presentation to the said churches and benefices, so by them founded and endowed : that afterwards, indeed, at the suit of the Pope, and with the consent of the king, the bishops were freely elected by the chapters of their churches, and resided upon their sees, instructing the people, and spending their revenues there, as in duty bound ; that as long as this good custom lasted, the kingdom was wealthy and prosperous ; but when they were laid aside, and the revenues arising from them were diverted to the purposes of covetousness and simony, the kingdom fell into all manner of adversities ; wars, pestilence, famines, murrains, and poverty so afflicted and ruined the country, that that there is now scarcely the third part of the population, or the wealth it once possessed left in it : That the court of Rome hath so subtly and cunningly, by little and little, and advancing from less to more, in the process of time, and by the sufferance and abettings of evil-disposed persons, out of all measure of times past, drawn to itself the collation to bishoprics, abbeyes, dignities, livings, and other benefices to the amount of more than five times the rents and profits of the King in England : That of

every benefice so given away by the Pope, he reserves to himself a tax or sum of money therefrom, so that if a bishop die before paying the assessment, that assessment is levied together with a second upon the successor. That with a view to make a pretext for more taxings, the Pope, by means of translations, makes two or three vacancies out of one, levying a tax for each translation, so that when a bishop has got his bulls, he is often so much in debt for the tax and other payments to the Court of Rome, that he is obliged to cut down the woods of his see, to borrow from his friends, to levy aids from his poor tenants, and subsidies from his clergy; thereby greatly distressing the Church and people of England.*

But the Statute of Provisors (25 Ed. III.) contained a blot which rendered it almost inoperative. The king might at any time legalize every one of the abuses complained of by his royal licence. The statute, therefore, merely operated to enable him to make a better bargain with the Pope; but contributed little to the abolition of the abuses complained of. In the third year of Richard II. the Commons renewed their remonstrances against the concordat of the late reign, which, they said, had resulted in no real benefit to the country. They then present that the reigning Pope, Urban VI. had lately given the priory of Deerhurst to an

* Rot. Parl. 50 Ed. III. n. 94. Records, vol. ii. p.

The petition goes on to expose the vile traffic in benefices, provisions, reservations, &c. in the corrupt court of Avignon, carried on by brokers and procurers, &c.

alien Cardinal, the like of which was never before endured in this country, and had granted to another Cardinal the archdeaconry of Bath, together with the first expectation that should fall vacant within the province of Canterbury, at and for the price of 4000 florins; and that he is in the daily habit of selling to other aliens, reservations and provisions upon the revenues of English benefices.

The king's answer, and the enactment thereupon fell far short of the first expectation of the Commons. 'He would write to the Pope,' he replied, 'to put an end to such encroachments;' in the meantime it was enacted, that no persons should receive letters of procuration, or attorney to act for the Pope or his nominees, nor take any benefice to farm, excepting the king's lieges, and that no more money should be remitted to the alien beneficiaries. This statute imposes the same penalties for disturbing the presentees of the legitimate patrons under colour of provisions or reservations as those annexed to a breach of statute, 25 Edw. III.; all such offenders to be attached by their bodies, and if convicted, to remain in prison without bail or mainprize at the king's mercy, until they shall have made due fine and redemption at his pleasure, and compensated the parties aggrieved for their damages.*

The grievance of licences, however, still remained unredressed, and the evil continued unabated. In the 7th Rich. II. a remonstrance similar to the foregoing was addressed to the king; but he was

* Rot. Parl. vol. iii. p. 82. col. 1.

unwilling to abandon the profits derivable from this iniquitous invasion of the rights of his subjects, and returned a snappish answer to the application of the Commons. He desired them not to molest him further with petitions on that head, but promised for the future to be circumspect in granting licences.* The King and the Pope were in truth the lion and the wolf; the King got the lion's share, and the Pope, though not without many a snarl, was obliged to put up with that of the wolf. In the year 1245, as we have seen, the amount of the money sent out of the kingdom on this score, was 60,000 marks. In 1252 it amounted to 70,000; about a century afterwards the Commons complained that the drain of money for this cause was greater than that resulting from all the wars of the king (Edward III)! So late as the last year but one of that prince's reign (A.D. 1376), they allege that notwithstanding the late statutes, the Pope's collector, besides maintaining a state equal to that of a prince or duke, sent 20,000 marks to Rome, for procuration of abbeys, priories, firstfruits, &c. and to cardinals and other foreign beneficed clerks in England, as much more, besides what was remitted to English clerks residing at the Pope's court, to solicit the affairs of those at home. Certain cardinals, they said, the notorious enemies of the kingdom, had procured expectancies to certain benefices within the provinces of Canterbury and York; and that the Pope's collector, besides living upon the people's

* Rot. Parl. 7 Rich. II. n. 54. vol. iii. p. 163.

money, was in fact a mere spy to worm out the secrets of the State, and to report the vacancies of benefices that he might make them known to the Court of Rome, and by ascertaining the rackrents upon oath, and raising them beyond the customary valuation, make the collection of firstfruits of all dignities and livings both easier and more profitable. They accordingly desired the king to send all strange clerks and others out of the kingdom, and to prohibit all his subjects from acting *without the king's licence* as proctors, attornies, or farmers to any such alien, upon pain of life and member, and loss of goods, and of being dealt with as common thieves and robbers.*

Throughout the reign of the feeble Richard, the public discontent went on increasing. In the 10th year of his reign, the king inhibited the newly-elected abbot of St. Augustine of Canterbury from going to Rome for confirmation. The abbot made his excuses to the Pope on that ground. The Pope replied laconically: "Your king commands you not to come, I command you to come." No excuse was admitted, least of all the prohibition of his sovereign, and it was intimated to him that there were other objections to his election behind. The abbot at length disobeyed his temporal, in deference to his spiritual superior, and went to Rome, where he was detained for three whole years. Soon after

* Rot. Parl. 51 Ed. III. n. 36. Rec. Com. vol. ii. p. 367. And see in *pari materiâ* the petitions of the 1 Rich. II. and the 3 and 5 Rich. II. Rot. Parl. p. 124, 125, as also 7th Rich. II. *ubi supra*.

his return, the statute of the 13th Rich. II. was passed, which denounced the penalty of *præmunire*—perpetual imprisonment, forfeiture of life and limb, lands and tenements, goods and chattels, at the king's mercy—against any persons bringing into the kingdom, after the 20th of January of that year, any bull from the Pope, for conferring any benefices in England, or serving any summons or sentence of excommunication for disobeying such bulls.*

The papal writers of that age fully understood the object of this statute to be the total exclusion of the papal influence in this country as to all matters not of purely spiritual concernment, and to make it unlawful for the future to have any transactions with the Pope in matters of that nature.† This statute was followed by the 16 Rich. II. c. 5, now generally known as the Statute of *Præmunire*, which is more specific. It recites that whereas the legal remedy to recover advowsons and presentations to benefices is in the King's Courts alone, execution whereof is to be made by the bishops; and whereas the Pope hath awarded processes and sentences of excommunication against bishops and others for executing judgments given in the King's Courts, and has assumed power to cite prelates and others out of the realm, and to translate them from one see to another, to the detriment and danger of the royal prerogative; and whereas the Lords

* Rot. Parl. 13 Rich. II. c. 2, 3. K. ii. Rec. Com. vol. iii. p. 266.

† *Twysden*, p. 90, quoting *Pol. Virgil*, lib. xx. p. 417.

temporal and spiritual and the Commons are under engagement to the King to assist him in the defence of the liberties of his Crown; it is ordained that any one purchasing and suing out or causing to be purchased and sued out at the Court of Rome or elsewhere any such citation, process, sentence of excommunication, bull, instrument or other thing touching the king, against him, his crown, and royalty, or any persons bringing the same into the realm, or receiving or making notification, or doing anything in execution thereof within or without the realm, they, their notaries, proctors, maintainers, abettors, fautors, and counsellors shall be put out of the King's protection, their lands and tenements goods and chattels shall be forfeit to the King, and they be attached by their bodies, if they may be found, and brought before the King and his Council there to answer the causes aforesaid, and that process be made against them by writ of "*Præmunire facias*," in manner as it is ordained in the Statute of Provisors (25 Ed. III.) and other statutes against those who act in derogation of the King's royal dignity.*

It is not possible to ascertain at this distance of time how far these statutes contributed to mitigate the evils complained of. It is, however, to be remarked that some of the principal sources of papal revenues, *e. g.* confirmations, firstfruits and annates, remained untouched by them. The latter statute appears to have been mainly designed to protect

* *Statutes of the Realm*, vol. ii. p. 85.

the rights of the crown, of which in that age the King was regarded as the rightful guardian. This view seems to have left him at liberty, as far as those rights were concerned, to treat with the Pope for the best terms. It is to be further noticed that as the power of taxing themselves was in the hands of the Church, the King might make the Pope a convenient instrument for extracting contributions, he would have found it much more difficult to obtain from the convocations. This observation may explain the reluctance of Richard II. to send the papal agents out of the kingdom.* There is, in fact, every reason to believe that however unwillingly the kings of England submitted to part with their church patronage, they, like the contemporary kings of France, were in a great degree reconciled to it by the share of the spoils they contrived to extort from the popes. The statutes of præmunire did not stand much in their way; the trick could be performed as cleverly and more conveniently by English as by papal agents. The sus-

* In the 13 Rich. II. the Commons petitioned that the Pope's collector, an alien, might have notice to quit the kingdom within 40 days upon pain of being put to ransom as an enemy to the king and kingdom, and that in future none but a natural born subject should be resident there as collector; and that such person be allowed to do nothing contrary to the Statutes of Provisors under the penalty of præmunire without plea of pardon. *Rot. Parl.* 13 Rich. II. n. 43; *Rec. Com.* Vol. iii. p. 270. This petition did not suit the king's convenience or policy, and received no satisfactory answer.

pitions of the people are strongly indicated by their desiring the King to renounce his prerogative of pardon against evil doers of this class. As long as this power remained in the crown he might connive at letters of provision from the Pope, and even legalize them by suit to himself for licence or pardon to the holder for carrying the Pope's bull into execution. But there is no feature which more strikingly distinguishes the constitutional history of England from that of any other nation under the sun, than that the law of the land was neither the creature of the will of the monarch, nor subject to be altered or bewrayed by his conduct under it or against it. The French forfeited their chances—at one time far more favourable than our own—of constitutional liberty, by pursuing the opposite course, and allowing the ancient laws of the realm to dwindle into the simple expression of the king's will. Our kings might, indeed, for their personal accommodation relinquish the rights of the crown one by one, as did king John and Henry III. when they acknowledged themselves feudatories of Rome. But the law was in all these instances ready to step in to the rescue of their prerogative, and to save the crown harmless against the misdeeds of the possessor. The corrupt bargains our princes struck with the Pope could neither legalize these transactions nor operate to deprive the crown of any of the rights in ecclesiastical matters, legally vested in it. The king's rights, as well as that of private patrons remained as they were from the earliest periods of our national history. Against

such a spirit of the law as this, the favourite argument of the canonists from adverse precedent was of no avail; and indeed we perceive that throughout the struggle between the canon and the common law, the kings and people of England often flung themselves back upon the King's Courts when outwitted or intimidated by those of the Church.

And with the view to strengthen themselves by alliance with the law of the land many of our kings strove to protect the administrative powers vested in them and their judges with extraordinary zeal. As already noticed, they refused to countenance the encroachments of the ecclesiastical courts upon the jurisdiction of the *curia regis*.* True it is that Edward III. assented to the petition of the clergy that archbishops and bishops should not be made amenable to the king's justiciaries, but to the Pope only; yet he added a reservation which shewed the boon granted to be a mere relaxation, not an abrogation of the law in their favour. They were to be exempt only until another remedy should be directed,† and the law was left as it stood before the king assented to its temporary suspension. But there was no consideration which drew the bond of union between the Clergy of England and the Court of Rome closer than that of exemption from secular jurisdiction. The canonical maxim that clergy and prelates could not be arraigned before the king's judges was, however, never established in

* Vide sup. p. 34.

† "Tantque autre remede soit ordeince."—*Rot. Parl.* 18 Ed. III. vol. ii. p. 151, 152.

this country. The progress of crime and profligacy among the lower orders of the clergy had gone on increasing in a ratio equal to the chances of impunity afforded by the loose practice of the ecclesiastical courts. The struggle between these courts and the king's tribunals was long and arduous, but the latter prevailed; and clerical offenders escaped with no other advantages than those involved in the "benefit of clergy," which exempted them in most cases from capital punishment.

The Papacy, meanwhile, never desisted from its claim to share the judicial powers with the lay courts. As heads of the Church the Popes vindicated to themselves an absolute power of revising all ecclesiastical sentences, and a visitatorial jurisdiction over all ecclesiastical courts. This claim they based expressly upon the "plenitude of the Apostolical authority," thereby plainly establishing our proposition that that authority involves in its very nature a temporal sovereignty, claiming not merely to share but to supersede secular government whenever the merely worldly interests of its peculiar subjects—*a fortiori* those of its own power—should require it. And such in principle is its constitution at the present day.

One or two observations remain to be made upon the state of the papal power in the reigns of the Henrys. The bringing in of Bulls was always regarded as the most dangerous defiance of our laws to which the Pontiffs were in the habit of resorting. The Popes were frequently requested by the Kings to put an end to this practice: and for this cause, the

latter in the earlier ages, from time to time prohibited all intercourse with Rome.* In the reign of Henry IV. this nuisance appears to have once more excited the attention of the crown. The court of Rome, under colour of its visitatorial authority, quashed the appointments of the King as well as those of private persons, to the great damage of the patrons and the clerks of their choice. A statute was therefore passed to invalidate all such proceedings, and to confirm the nominees in the possession of their benefices.† In the third year of Henry V. a remarkable provision was made, shewing how little the crown and the legislature had thought of relinquishing those general powers of ecclesiastical superintendence with which the law of the land had clothed them. An act was passed for filling all ecclesiastical benefices; archbishoprics, bishoprics, abbeys, &c. during the then vacancy of the holy See, and for dispensing with the papal confirmation. By the 7th Hen. IV. c. 8, and the 3rd Hen. V. c. 4, it was at length enacted that no licences for provisions should be available against any clerk possessed of a benefice at the day of the dates of those statutes, and all such licences antecedently issued were declared void. From this period the nuisances of provisions and reservations were legally, though not always practically got rid of.

It is singular to observe, amid the multiplicity of papal aggressions during the middle periods of our

* *Twysden*, p. 67, quoting *Hoveden*.

† *Rot. Parl.* 9 Hen. IV. p. 614, 615.

history, how little doubt rested upon the mind of lawgivers and lawyers in this country, that the external government of the church was vested in the crown, and that its administration in that respect was the subject of ordinary legislation. The very form of the king's writ for the convocation of Parliament takes it for granted* that the welfare and defence of the church was a matter as fully within their competency as those of the state. And thus in the reign of Richard II. the Commons, apprehending danger from the spread of the heresy of the Lollards, petitioned the king to take measures for the suppression of those opinions; whereupon he commanded the archbishops and bishops to take all proper measures for the chastisement of the heretics, and especially to attend more diligently and zealously to the execution of their duties than theretofore, to search for and burn heretical books, particularly those written in English, and to seize and commit the heretics to prison, there to await the proper canonical judgment. After which a commission was issued by the king by the style and title of "Defender of the Catholic Faith," to carry out these measures against the Lollards.† A

* The ancient Parliaments were summoned "pro quibusdam arduis et urgentibus negotiis nos, statum et defensionem regni nostri Angliæ et *Ecclesiæ Anglicanæ* concernentibus." Rot. Parl. 20 Rich. II. n. 1.

† *Twysden*, p. 112. This author quotes the preamble of a stat. of Henry V. to shew how strongly the principle contended for was impressed upon the minds of our princes. It runs thus: "Item it is declared that our sovereign Lord

similar petition, presented by the Commons, 14 years afterwards, to Henry IV. very plainly indicates that they regarded the king as the constitutional guardian and visitor of the church, with powers, not merely to watch over the working of the ecclesiastical machinery, but to visit departures from its settled doctrine, discipline and ritual with condign punishment. It is material to observe that among all the petitions of the Commons to which I have drawn attention, not one is to be found in which mention or allusion is made to any other tribunal than that of the king, to whom that duty might of right belong. Neither Pope, archbishops, or bishops are appealed to for authority or aid in the work of purifying the church from error; but the king only. The prelates themselves partook of the general impression, and in the 2nd year of Henry IV. petitioned the crown, as of its own special duty and prerogative, to provide a proper remedy for the disorders, divisions and perils which had crept into the church by occasion of Lollardy.*

The laity, on the other hand, uniformly resorted to the crown for redress and protection against the irregularities of the clergy; as when the Ecclesiastical Courts oppressed them with exorbitant fees

the King, being animated with an ardent desire for the good estate of his church and kingdom, in all matters wherein there is need of amendment, for the honour of God and the peace and common profit of the Holy Church of England, and of all his kingdom, by the advice, &c. hath enacted," &c.

* *Rot. Parl.* 2 Hen. IV. n. 48.

in spiritual suits;* or when the pecuniary penalties imposed were too heavy;† or when aggrieved by papal provisions, or by neglect of duty on the part of the inferior clergy, by non-residence, by the frequency of excommunications and of the writ “de excommunicato capiendo,”‡ or by the arbitrary and illegal proceedings of the Spiritual Courts.§ It was, indeed, thought that the pastoral authority of the Pope might materially assist in ridding the country of those abuses; accordingly, it was not uncommon to petition the King to call upon the Pontiff to aid in redressing them, nor for the kings to decline interfering of their sole authority in many matters in which it might be more convenient to act in conjunction with him. Yet, when their prerogative was concerned, they rarely scrupled to apply the remedy without consulting him. In reply to a petition of the Commons against ecclesiastical abuses, presented to Henry VI., he told them that he had delivered their bill to the Archbishop of Canterbury to remedy their grievances within his province, and that he would write to the Church of York to do the like within its jurisdiction. The current, indeed, of all these acts of the Crown and Parliament is so uniform and consistent, that it would be vain any

* *Rot. Parl.* 50 Edw. III. n. 84, and 1 Rich. II. n. 108.

† 25 Edw. III. n. 35.

‡ *Rot. Parl.* 2 Hen. V. n. 5, and 46 Ed. III. n. 36, 37, 41, 42.

§ 2 Hen. V. ubi sup. 17 Rich. II. n. 43, and 7 Hen. IV. n. 114.

longer to contend that the Common Law of England had not vested in the Crown an independent power to redress abuses in the external government of the Church, and to provide a remedy against dissensions, scandals, and divisions arising in the Church, as well as to arrest the progress of false doctrine, or what it might deem such, and to sustain the established religion of the State by enforcing the performance of their duty by the clergy.

The closer we come down to the era of the Reformation, the greater appears to have been the jealousy of the Papal officials in this country. The appearance of a Cardinal here startled the public, and put the Government upon its guard. In the reign of Henry VI., the King's uncle, Henry, bishop of Winchester, had been elevated by Pope Martin V. to the cardinalate, and in that character returned to England in the year 1431. Having accepted a commission from the Pope to serve against the Hussites in Bohemia without the King's licence, he had incurred penalties against which he thought it requisite to protect himself by petitioning Parliament that he might not be vexed or prosecuted by reason of his having acted under a Papal bull. The reason for this application probably was, that when Henry V. was informed that the bishop, his brother, had applied for that dignity, he had said "he would rather set his crown beside him than see him wear the hat of a cardinal." The petition of the King's uncle was, of course, granted; but as the sworn servant of a foreign prince, pre-

cautions were thought requisite against divided allegiance, and the bishop was not admitted to his birthright as a privy counsellor until he had taken an oath that he would bear no part in any matter or cause in which the Pope or the Apostolic See should be in any manner concerned.*

It cannot, I think, be denied, that all these petitions would have been merely empty words, if the framer of them, had not really held it to be settled law that the King was endowed with a power of reforming the Church and redressing grievances in its government. But our kings never took upon themselves to meddle with the internal government of sacred things. The *potestas ordinis* and the administration of religious rites were never interfered with except by the advice and enactment of national councils or convocation. The monarchs of this country claimed not to control doctrine or discipline except as the guardians and conservators of their integrity and their purity, and then only by and through the instrumentality of the highest officers of the Church itself. It was in

* *Rot. Parl.* 8 Hen. VI. vol. iv. p. 338, n. 17. The wording of this entry is curious: "Memorandum, quod licet transactis temporibus in regno Angliæ visum non fuerit, ut speratur, quod aliqui Anglicæ nationis ad statum et dignitatem Cardinalis per sedem Apostolicam sublimati, post susceptum hujusmodi dignitatem ad interessendum conciliis regiis veluti regis et regni conciliarii hactenus admissi exteterunt;" yet, the entry proceeds, considering his near kindred to the king, &c. he is to be admitted, but with the condition stated in the text.

this sense and this only, that Henry VIII., Edward VI. and Elizabeth took to themselves the title of Head of the Church. And in this sense they did no more than exercise the powers vested in them by the law and custom of England, against which no foreign law or custom, whatever its spiritual authority and sanctity, was allowed to prevail. In this sense it was that the clergy in Convocation styled Henry VIII. "The sole protector and supreme ruler, and as far as the law of Christ permitted, *supreme head* of the Anglican Church." And in so doing they added nothing unto him but a title, for neither he nor his successors ever exercised any authority in ecclesiastical government not warranted by constitutional precedent and immemorial custom. As supreme heads and governors of the Church under Christ, the Divine Head, they rightfully claimed to "visit, reform, and redress all errors, heresies, schisms and abuses." They nominated ecclesiastical commissioners to examine the canons, and to report upon them, with a view to their correction by the proper ecclesiastical authorities,* and executed all those functions of external government for which during several preceding centuries they had to contend for with the Bishop of Rome.

The rejection of the spiritual supremacy of the Pope rested upon totally different grounds. That was strictly a national movement, a religious revolution, which, when accomplished, drew after it

* See 25 Henry VIII. c. 1. 25 Hen. VIII. c. 19. 27 Hen. VIII. c. 15. 35 Hen. VIII. c. 16. 3 & 4 Ed. VI. c. 11. 1 Eliz. c. 1.

the natural legal consequences. Those consequences were already determined, and the Reformation was no other than the application of existing law to the exigencies of the case. The question whether the Pope is or is not the Vicar of Christ and the supreme head of His Church on earth does not even come into question. The people of England with their prince at their head, had (right or wrong) determined it against the Pope. They disowned and rejected him upon clear theological grounds; and having satisfied themselves that the Papal system was unsupported by Scripture, that it was an invasion of the rights of conscience, and that it was in practice utterly corrupt and incapable of correction, they confirmed their sovereign in the position assigned to him by the law and custom of England, leaving all matters of faith, doctrine and discipline to the ecclesiastical powers, and investing him with the general rights of superintendence, visitation and control in respect of titles, sees, jurisdictions and exemptions, without which there could have been neither unity nor consistency in the cooperation of Church and State.

In all this great care was taken not to alter the essential constitution of the Church. The persons only underwent a change; bishops and clergy were selected from among those who rejected the corruptions of Popery. It was the same body corporate under the same officers, after removing those deemed unfit for their duties. It was the same household, but swept and garnished, and provided with servants who were found willing to open the

doors to the rightful occupants, the religious people of this country, and to admit them to all the privileges of the sacred edifice, from which the former occupants had excluded them. When our Roman Catholic adversaries deny the identity of the Church of England, subsequently to the Reformation, they can do so only upon the ground that the supremacy of the Pope is an article of the Catholic faith. But upon this ground, we do not desire to meet them. The Church of England has settled that question in the negative as positively and as unalterably as the Church of Rome has settled it in the affirmative. As an intellectual amusement, or as a means of producing conviction, our Church does not repudiate the discussion, but as an expedient for unsettling the foundations of her faith, she heeds such controversies as little as her adversary. What she really fears is an invasion of the laws upon which she grounds her rights. She apprehends injury from the gradual sapping and mining process she is sensible her opponents have brought to very great perfection. In her external organization she takes her stand upon the Law and Custom of England; as to her internal welfare she commits it devoutly to Him whom, when she rejected the Roman deceiver, she replaced upon the throne of His rightful empire, the hearts, the consciences, and the congregations of the faithful.

We affirm, therefore, that the same legitimate authority, which in times past, interfered to check the Papal ambition, interposed at the Reformation, by the same right and upon the same principles of

law, to put an end to it, and to liberate the national Church from the illegal dominations of a chief, who had broken every condition and set at nought every duty of a Christian pastor.

The persevering efforts of the Roman advocates to sustain their proposition that our separation from the so-called "Centre of *Unity*" has unchurched us required these observations. Our only answer must be, that we have decided that the Bishop of Rome is not in any sense a centre of Unity—though he may, perhaps, with a better grace maintain his place as the centre of *uniformity*. But when we have said that uniformity is not unity, we have said all that is requisite. We know that our scheme is at least as favourable to the 'unity of the spirit in the bond of peace' as that of Rome. We believe and hold that our spiritual identity is far more perfectly sustained than that of Rome; nay, we maintain that it was restored and confirmed by that very act to which our adversaries ascribe our fall from Church membership. In every respect, therefore, of unity, stability, and identity, the body corporate of the Church of England claims to be one and the same after its restoration to the liberty of the Gospel, as it was when it lay grovelling at the feet of the Bishop of Rome. Her spiritual sameness is, we say, as little liable to doubt as her legal identity. As to the former, we believe she would remain the same were she tomorrow to be separated from State connexion; for we hold that the essential qualities of a Christian Church, do not consist in its outward form, but in its inward and spiritual graces. Bishops, priests,

and deacons, we think, have come down to us recommended by Apostolical example and authority, as well as by the practice of the Church, in all ages prior to the Reformation, and we hold fast by them as the most approved means for effecting all the essential ends of Christian association. But instead of denying to other associations, who do not adopt those forms, the character of true Christian churches, we simply predicate of them that they are not members of that specific body, which under the name of the Church of England, has maintained an identity of national existence from the first introduction of Christianity into these islands. We may lament this secession—once we persecuted its advocates, an act we lament far more deeply, for it was a leaf taken out of our adversary's book—but acknowledging humbly that as no human being is infallible so there can be no infallible aggregate, we have renounced on behalf of our Church, all pretension to be the sole judge and arbiters of catholicity; and have cordially committed the differences between ourselves and our dissenting brother Protestants, to the arbitrament of Him, who, without dispute among us all, is the Supreme Head of the Christian Church on earth and in heaven.

§. 9. *The State of the Law.*

Having brought the sketch of the struggle between canonism and prerogative down to the period of the Reformation, and taken my stand upon the law of the land as the test of legality in the contro-

versy now on foot, I proceed to examine the late bull of Pope Pius IX. for the establishment of a canonical Roman Catholic hierarchy in England.

The first inquiry which suggests itself is whether the law of England, relative to the introduction of Papal bulls into this country, has been altered since the Reformation. The reverse seems to be the case. For by the 13th Elizabeth, c. 2, entitled, "An Act against the bringing in and putting in execution of bulls, writings, or instruments, and other superstitious things from the See of Rome," it is enacted that "if any person shall obtain from the Bishop of Rome any manner of bull, writing, or instrument written or printed containing any thing, matter, or cause whatsoever; or shall publish or by any means put in use any such bull, writing, or instrument; he, his procurors, abettors, and counsellors, to the fact of the committing of the said offence, being attainted according to the course of the laws of this realm, shall be adjudged guilty of high treason. And all aiders, comforters, or maintainers of any of the said offenders, after the committing of the said offence, to the intent to set forth, uphold, or allow the execution of the said usurped power, shall incur a *præmunire*."

The difference between this statute and the 16 Rich. II. is that in the latter case the penalty is different, the crime being that of a simple misdemeanor with the heaviest punishment known to the law; the 13 Eliz. on the other hand declaring the act to be in the principals, high treason,

and in the accessories after the fact a misdemeanor of the same nature as that created by the statute of præmunire.* Therefore before the introduction of Mr. Watson's Act (9 and 10 Vict. c. 59) passed in the year 1846, only four years ago, the act of Dr. Wiseman and his confederates would have amounted to high treason, and every one of the bishops and others who have published and made known the Bull "Universalis Ecclesiæ," would have incurred the penalties of a præmunire. But by the latter Act the several statutes therein mentioned, twenty-eight in number, and passed between the years 1270 and 1793, mostly for restraining Papal aggressions, are repealed; amongst the rest, the 13 Eliz. c. 2, "but so far only as the same imposes the penalties or punishments *therein mentioned*; and it is thereby declared that nothing in that enactment contained shall authorise or render it lawful for any person or persons to import, bring in, or put in execution within the realm any such bulls, writings, or instruments, and that in all respects, save as to the said penalties or punishments the law shall continue the same as if this enactment had not been made."

Again we notice in this place a clause in the stat. 10 Geo. IV. c. 7, sect. 24, commonly called the Roman Catholic Emancipation Act, the words of which run as follows: "And whereas the Protestant Episcopal Church of England and Ireland, and likewise the Presbyterian Church of Scotland, and the doctrine, discipline, and government thereof

* See p. 64.

are by the respective Acts of Union of England and Scotland, and of Great Britain and Ireland, established permanently and inviolably ; and whereas the right and title of Archbishops of their respective provinces, of Bishops of their sees, and Deans of their deaneries, as well in England as in Ireland, have been settled and established by law ; be it therefore enacted, that if any person after the commencement of this act, other than the person thereunto authorized by law, shall assume or use the name, style, or title of Archbishop of any province, Bishop of any bishopric, or Dean of any deanery in England or Ireland, he shall for every such offence forfeit and pay the sum of one hundred pounds."

The same statute (10 Geo. IV. c. 7) substitutes for the legal oath of supremacy a declaration to be made by all persons professing to be Roman Catholics, which relieves them from the necessity of taking the usual oath. By the substituted oath the Roman Catholic declares that it is no part of his faith, and therefore that he renounces, rejects, and abjures the opinion—not, however, as "impious" and "heretical"—that princes excommunicated or deprived by the Pope may be deposed or murdered by their subjects, or by any other whatsoever. He declares, moreover, that he does "not believe that the Pope of Rome, or any other foreign prince, prelate, person, state or potentate, hath or ought to have any temporal or civil jurisdiction, power, superiority, or pre-eminence, directly or indirectly, in this realm."

Now this is, to say the least of it, a very disgraceful state of the law. The only excuse I can imagine for it is the total ignorance of the true character of the Papal scheme under which our legislators went to their work. If they had taken any pains to inform themselves, they would have seen at a glance that the substituted oath is no security at all—they would have perceived that a sincere adherent of Rome can only take it by dispensation or by connivance, and that it is binding only “till further orders” from head-quarters. This, I think, will clearly appear in the sequel.

But the great grievance we have to complain of is the 9th and 10th Victoria, because that statute is not imputable to ignorance. Its errors are wilful in all respects. It overthrew at a blow almost all the protections thrown around the constitution of the Church of England by the common law of the land, while it affected to leave that law as it stood. I believe that it was the intention of the father of this Bill to repeal the 13th Elizabeth as remorselessly as he swept away the other twenty-seven acts therein specified. Had he succeeded, he would have preserved the consistency of the measure, and would not have left the law against bringing in and putting in execution Papal bulls in this country a helpless rump, with a voice to denounce, but without an arm to execute its sentence. No doubt it is still illegal to bring in Bulls from Rome; but who would prosecute under the statute as it now stands? This was rank hypocrisy or fraud. “Take your clause,” said the advocates

of the Bill to their opponents, "but we will take care to make it of little use to you; we will repeal the penalties—we will introduce an ambiguity that shall puzzle the sharpest lawyer to unravel." And they carried out the threat. Is it, or is it not, still high treason to act as principal, or as accessory before the fact, in bringing Papal Bulls into England? Is the penalty of high treason, though not *named* in the 13th Elizabeth, repealed together with the penalties therein *named* and expressed? What lawyer would, in the teeth of these difficulties, advise a prosecution under this act? That an indictment of some kind might be maintained, there can be little doubt, but under disadvantages that no private person would encounter, and which unquestionably the Government which patronized the 9th and 10th Vict. will themselves allege as an excuse for not putting the law in force.

Let it be remembered, that unless there be an effective power provided to prevent the introduction of Bulls and other writings mandatory of the Bishop of Rome, all the zeal displayed against the late measure of the Pope will only serve to cast ineffable disgrace and ridicule upon the nation. Our protests and petitions will, in the eye of every reasonable being, dwindle into a mere noisy expression of Protestant vexation at being outwitted by the Papists. After ignorantly disarming ourselves, to complain of being attacked, is indeed puerile and absurd. If the 13th Elizabeth be not re-enacted, or some equivalent measure introduced for preventing the nuisance and the danger our wiser ancestors

foresaw and provided against, the defeat of the great Protestant communities of Great Britain will be irretrievable, and their disgrace complete. We have taken up a position from which to retreat with credit is impossible. Our consolation under these difficulties of our own creating is twofold: we are conscious of our danger; and the legal principle, however denuded of its proper guarantees, is preserved to us. It is still a misdemeanor to bring in, publish, or execute Papal Bulls in England. If our late protests are to go for anything, it is our plain duty to defend this position to the uttermost, and to strengthen it by such provisions and penalties as shall effectually repel and avenge the insult we have endured, and prevent any recurrence of a like attack for the future. There is no middle path between this course and the disgrace and ruin of the Protestant cause, the ultimate loss of our religious liberties, and serious danger to our civil rights.

That the Papal system involves a powerful scheme of temporal dominion under the disguise of a purely religious polity, and so cunningly contrived and managed as to present either aspect at the will and convenience of the movers, has already to some extent appeared in the analysis of our bygone contests with Rome which I have ventured to lay before you. The struggle lay, as we have seen, between the constitutional powers of the Crown and the efforts of the Popes to establish territorial, administrative, civil, criminal, and financial jurisdiction in this country. This observation should, one would think,

give us pause before we abandon the narrow defensible ground to which, by our imprudence, we have confined ourselves. But the few glimpses of the internal character of the Papal scheme, which in examining the contents of the late Bull, and the defences set up for it, I shall have occasion to present, will, I think, dissipate all doubt as to the invariable and unvarying drift and tendency of that scheme, and, I trust, convince you that Rome can offer you no security for your civil and religious liberties, which as rational beings you would be justified in accepting.

§. 10. *The Bull.*

I have before me a little pamphlet, price three-halfpence, entitled “Letters Apostolical of our most Holy Father, Pope Pius IX, establishing the Episcopal Hierarchy in England.” Underneath this title are the words, “Pius P. P. IX;” and under these again, the words “For a perpetual remembrance of the thing”—with remarks on the above by the Rt. Rev. Dr. Ullathorne. To the Latin original, of which this is an authentic translation, there is appended a Bulla or pendant seal impressed with the “Fisherman’s ring,” the most solemn mode of authentication known to the Court of Rome. The translation is in a form, and is published at a price, shewing clearly that it is intended for the most general circulation; and it is set forth under the warranty of a Romish bishop, with a view to dissipate all doubt as to its authenticity, and to

bring its contents to the knowledge of all Her Majesty's subjects.

It appears to be an instrument containing "Letters Apostolical," issued from the "plenitude of the Apostolic power," and in virtue of that power orders and directs that the "kingdom of England" be divided into certain ecclesiastical districts, to be presided over by an archbishop, whose see, it says, shall be in the city of Westminster, and twelve suffragan bishops, whose sees shall be respectively the towns 'or cities' therein specified, none of which are in point of fact as yet occupied by bishops of the Established Church.

The first thing that strikes us in reading this document, is the unaccountable ignorance of the framer, that such a religious establishment as the Church of England, of which our Queen is, under God, the supreme governor, hath any existence. He is equally ignorant of a Church of Scotland, or of any other Christian association within these realms. But his ignorance is still more profound than all this. He does not know that there is no longer any such region as the 'kingdom of England;' it has clean slipped his memory that about a century and a half ago, that kingdom by an act of the British legislature ceased to exist, and merged in the united kingdom of Great Britain and Ireland. It is to be noted that equally little notice is taken of Queen, Parliament, or people, excepting of those called Catholics, who for ought that appears in the Bull, are the only known inhabitants of the said kingdom.

Recollecting, however, that there was a time when the Bishop of Rome claimed what was then the 'kingdom of England' as a fief or feudal dependency of his see—a time when he held the crown of England in his hand, levying tribute, disposing of ecclesiastical revenues and preferments, and controlling the government by orders emanating from himself; remembering, moreover, that this claim still stands recorded in the archives of his pontificate, and that it is still in full force and effect, and in no wise cancelled, renounced, or annulled; and taking further into account, the sacred and unalterable principle of the Papacy, that what has once been annexed to the patrimony of St. Peter can by no earthly power be severed from it; and furthermore, recollecting that at the Reformation, and since that time, all these claims and powers have been utterly abolished and annulled by the legislature of this country, and all communication with the Court of Rome forbidden under the severest penalties—the whole mystery vanishes of itself.

That the court of Rome could be, *de facto*, ignorant of this great historical fact, no man believes. It must, therefore, be taken for granted, that the omission of all allusion to Church, Queen and government of England was intentional. And when it is considered that the sovereigns of this country, as heads of an heretical state, are, *ipso facto*, excommunicate, we perceive a good reason for the omission. The recognition of a Queen and government of Great Britain, as subsisting powers, might, upon canonical reasoning, operate to weaken, or to raise a

presumption against the temporal supremacy of the Pope over England, as part and parcel of the Petrine patrimony. The Pope, therefore, has no official knowledge of any other national designation than that of the "Kingdom of England," and accordingly professes absolute ignorance of everything that has been done either there or in any part of the British dominions since the first year of Elizabeth, at which time,—now about three centuries ago,—his power was legally abrogated, and his agents expelled the country. Since then there has been in the contemplation of Rome no Church, no Queen, no Parliament in that part of the empire called England. None of these things could be noticed in the late Bull without injury to claims to which the see of Rome is bound by chains of adamant, and must reduce into possession whenever the power so to do shall be forthcoming.

We are, therefore, at full liberty to discern in this designed misnomer, and in these significant omissions, a precaution to avoid any incidental acknowledgment of a style and title annulled by the predecessors of Pius IX. The "glorious kingdom of England" therefore, stands as the only region officially known to him, because 300 years ago, there was no other; and because there could be no other without his consent as Lord paramount of that realm.

Those who are acquainted with the character of *ultramontane* Popery, upon which of late years, perhaps, more than at any former period the Court of Rome and its adherents in this and other coun-

tries, have flung themselves back, will reject the plea so frequently urged, that the Pope can have no hope of sustaining demands so obsolete and so out of all apparent probability as these. They know the astonishing effects produced—the enduring vitality imparted to every system of government, more especially to one into which the religious element so largely enters, by incessant, unvarying, persevering claim. These persons plainly perceive that Pius IX. *will* not know us—*will* not recognize us, or any one of our national institutions even by a passing word, because we are heretics and rebels, our Queen a pretender, our Church a pandemonium. Whether that elation of spirits which the apparent increase of the Roman communion in England engendered encouraged the Pope to hazard this extraordinary step, at a juncture when his own government is alone upheld by foreign bayonets, we can only conjecture; at all events the document before us exhibits no symptom of condescension to the great British nation, its feelings, or even its prejudices, which could weigh a grain against the most antiquated and obsolete of the Papal pretensions. Whatever the result of the experiment, not a word has escaped the pontifical pen which could be construed to the detriment of the most extravagant of these claims. As a nation, a government, a people, a church, we are a nullity, and known only to the Court of Rome by the appellation we bore as part and parcel of the Roman state.

Our suspicions are confirmed by the mode of publication adopted. We observe that these so-

called "Letters Apostolical" are addressed *to no one in particular*. They are "ad perpetuam rei memoriam"—as universal in their address as that "Plenitude of Apostolical authority" from which they are supposed to emanate. Such documents when intended to have a special operation are always directed to the persons whom it may concern, and not, like this document, "ad perpetuam rei memoriam," or "ad universum." The form adopted, therefore, plainly shews that it was not, as is now pretended by the Roman Catholic advocates, designed solely for the government of the Pope's communion in this country. For if it had really been so intended, what more would have been requisite than a simple rescript,—in the shape of a Bull, if you please,—addressed to the Roman Catholic vicars in this country, emancipating them from the direct control of Rome, and placing them upon the footing of a canonical hierarchy. Such a mode of accomplishing the ostensible object thus put forward, must have amply satisfied the Romish clergy and laity of this country, if nothing more had been thought of than the better government of the Pope's spiritual subjects. It is manifest, therefore, upon the face of this instrument, that such special operation was neither the only nor the principal object of the Bull.

The Bull, moreover, directs that printed copies, properly authenticated, shall be taken as evidence of the pontifical will therein expressed. In conformity with this hint the Bull has been printed, translated and dispersed in the cheapest possible

form. Thus, it has been officially brought under the notice of the Crown, the Government, the Church, and the whole Protestant people of England; and by it they are authentically informed that a foreign prince has divided out their country among certain officers, named by himself, and governing in his name. Where, we may ask, was the necessity for all this, if nothing more had been intended than the spiritual welfare of a particular community? Why address it to all, when a few only were to be affected by it? We have, therefore, a clear right to set down the plea just adverted to as a false pretence; and to adopt the conclusion, that in thus over-stepping the limits prescribed by the specific purpose alleged, the Court of Rome has manifested an ulterior design, which, though not expressed in words, may be very clearly collected from the conduct of the whole business. We have no doubt, that the Pope imagined that the time had arrived for setting up a standard in England, around which the real or imaginary host of converts and half-converts might rally, and for extorting from the ignorance or the supineness of the nation such pregnant admissions of papal supremacy as might shut the mouths of the Protestant Church and Government, and prove a material step in the gradual transition from toleration to ascendancy.

We may, I think, safely defy any rational man to believe that the habitual caution of the Papal Court, would have incurred the terrible risk it has incurred, if it had no other object in view than to

impart to its own communion in this country, the blessing of an ordinary hierarchy. We believe therefore the truth to be, that Rome, with full knowledge of the strong Protestant feeling, and deep, yet somewhat versatile religious disposition of the people of this country generally, thought herself strong enough at this juncture to brave the popular indignation, and by the substitution of a regularly constituted hierarchy for the feebler system of missionary bishops, aided by gradual acquiescence and superinduced habit, by soothing assurances, suppression of the most offensive, and ostentatious production of the most attractive forms and tenets of Romanism, to establish a strong foundation for the restoration of that unbounded influence she once enjoyed in these realms.

In the next place we observe that the new Papal measure is described in the bull as a "Re-edification of the Church of England," after her overthrow by a "great calamity." The event so described is the Reformation of the 16th century, and the expression amounts to a direct intimation that since that event, *there has been no Church of England*, but only a missionary establishment as there might be among Chinese, Hindûs, Mohammedans, or South Sea Island savages. This great calamity, it is said, furnished special reasons for adopting the vicarial or missionary form of Church government; and these special reasons were, that heretofore the heathen people of these islands were so much more numerous and powerful than the Christians, that a regular hierarchy was not required, but only

missionaries with episcopal powers, to keep together the few that were found faithful, and if possible, gain over others to their ranks. Now however, says the Pope, this "great calamity has passed away." But how passed away? One would suppose,—by the conversion of England to Romanism. Yet neither Pius IX. nor his adviser Wiseman, is bold enough to assert such an absurdity in plain terms. In looking out of the bull itself, to the explanations of its official interpreters, we find that this "passing away" of the Great Calamity (the Reformation), amounts to this: that by our folly, our ignorance, and our puerile confidence in promises and professions we ought never to have trusted; we have disabled ourselves from offering effectual legal resistance to the insatiate claims our ancestors repudiated, and our Government struggled against, for centuries prior to the Reformation.

But to this subject we shall have to recur hereafter. It is sufficient for the present to observe that the reasoning of the Papists is throughout inferential; we have repealed, because we have not enforced; we have abandoned, because we have not insisted; we have given up much, therefore we have surrendered all. We will inquire how this matter stands when we come to deal with Mr. Bowyer.

The authority by which the re-edification of the Church of England—there being as yet no Church of England—was to be effected, is thus indicated: "The whole matter, *viz.* the re-edification in question, therefore having been carefully consulted upon, we, *of our own motion, on certain knowledge, and of*

the plenitude of the Apostolical power, constitute and decree, that in the kingdom of England, according to the common rules of the church, there be restored the hierarchy of ordinary bishops, who shall be named from Sees *which we constitute* in these our letters, in the several districts of the Apostolic vicariates." Then follow the territorial divisions in genuine legislative form.

Upon this clause I think it only necessary to observe that it bears upon its face every character of a public legislative act, proceeding from a competently constituted legislative power, to be taken notice of by all, without exception of Romanist or Protestant. It is the most public and notorious act of Pontifical supremacy that could be devised ; and this constitutes the essential difference between this bull and any instrument or instruction for the internal organization of particular religious associations. The Methodists, for instance, have divided out the country into districts for the convenience of their preachers. This they probably did by letters of instruction under the direction of the President of the Conference, and addressed by him to those whom it might concern ; but he did not issue a bull, nor did he address his letters of instruction or construction to the people at large as if they were as much interested in it, and as much bound by it as his own preachers. In addition to this the President of the Conference is not a foreigner ; he pretends to no Apostolical authority, does nothing of his "own mere motion," or "on his own certain knowledge," but he acts by the advice of others,

every one of whom is amenable to the law of the land for his public conduct. The President does not take it for granted that Methodism is the religion of the country ; he is not entirely ignorant that there is a Church of England by law established ; he acknowledges the power of Parliament to divide, combine, and reconstitute the territories of the empire ; he knows of no “kingdom of England,” neither does he directly or implicitly deny the right of the legislature to eliminate that kingdom, and to reconstitute it in conjunction with other dependencies of the British crown under the name of the “United Empire of Great Britain and Ireland.”

If this instrument be indeed, as we are called upon to believe it is, no more than a bylaw of the great religious association of the Roman Catholic subjects of her Majesty, it is certainly set forth in a form as little resembling such an instrument as can well be conceived. A bylaw is a regulation issuing from a body whose original powers to make such regulations is derived from the law of the land. The authority upon which this bull appears among us is that of a law and a lawgiver resident out of the land, irresponsible to and incontrollable by the law of the land. It comes in all the state and pomp of an original enactment proceeding from a legislator superior to all earthly jurisdiction or dominion. The more forbearing among us Protestants may smile internally at the affected humility with which the Roman Catholic advocates would abase themselves and their communion to the level of a simple

dissenting sect, and soothe or overreach us by presenting this imperial decree of their Pontiff as no more than a simple bylaw, a mere regulation for the internal spiritual government of their own body. Those among us whose patience is not proof against so severe a trial will exclaim, "Out upon such hypocrisy!"

The student of Papal history, or any one at all familiar with the habitual vices of the ultramontane canonists will perceive a peculiar danger in this attempt to tamper with the established territorial divisions of this country, whether ecclesiastical or secular. The Roman casuists are never very nice in distinguishing the powers of spiritual from those of temporal jurisdiction. In fact the former, in their view, always draws after it the latter as a necessary consequence; and wherever they succeed in establishing the spiritual authority of their Pontiff, they always presume that his temporal power to enforce it is accurately commensurate with its extent and requirements. Thus when they talk of an act of a purely spiritual nature, it is always with a mental reservation of all the physical and temporal powers requisite to carry it into effect. If it should happen that the necessary force is not immediately at hand, that circumstance makes no difference in their language, no change in their conception of the thing to be done. From the age of Gregory VII. downwards it has ever been their custom, in like cases, to treat the princes and monarchs of Europe as the ministers and servants of the Pontiff, for the execution of his spiritual behests, without betraying

the smallest apparent consciousness, that in so doing they were in fact accroaching to themselves the entire temporal power of the State. Now there can be no doubt that a public act dividing out a country in which there is a subsisting government, by metes and bounds topographically defined, is an act of a strictly temporal and political character : and if we admit it on the plea that it is requisite to carry out the spiritual or religious measure of the Pope, the canonists will return us their best thanks, and in the mode in which their thanks are usually expressed, namely, by converting our simplicity to their advantage, and spinning it into a cord to bind us to the stake.

It is said in seriousness of spirit—if we once admit the exercise of the “plenitude of the Apostolical power” in *any sense*, or allow the Pope to “constitute and decree” in any form of words within these kingdoms, we shall be told that we did so with the full knowledge of the prerogative under which such jurisdiction was claimed and exercised, and have thereby precluded ourselves from gainsaying it in future. “If,” they will say, “you look into the bull ‘*universalis Ecclesiæ*,’ by which it was introduced, you must have seen that England is there treated as a spiritual dependency of the Holy See. His Holiness therein condescends to pass over every thing that has happened amongst you for these three centuries back, and now condescends to treat you as what you were before your rebellion—a Christian kingdom. Hitherto, it is true, you were heretics and outcasts ; the path is, however, now

open before you, and you have frankly acknowledged the boon by accepting it. If at any time hereafter you should hesitate, you cannot murmur should the Pope deem it requisite to resort to some other branch of prerogative essentially included in the supremacy you have admitted to compel you to come in."

In truth there is some reason for asserting that what men do with a full knowledge of the principle upon which they are acting, is generally binding upon them in like cases for the future. Consequently the Papists tell us, that when we emancipated our Roman Catholic fellow-subjects, we well knew that they acknowledged no spiritual supremacy, but that of the Pope; and that, with that knowledge on our minds, we in their favour dispensed with the oath which asserts the spiritual supremacy of the Queen, thereby permitting them to acknowledge that of the Pope. I conceive that no such permission was implied. But admitting for the moment that it was, they would not, if they had stopped there, have gone very far wrong. But they went a step further, and affirmed that by that enactment we introduced the Pope's supremacy into this country, as a power or prerogative known to the law of the land. A little want of caution on this point will drive us into the dilemma of either recognizing a spiritual supremacy, in its nature ambiguous and indefinite, and therefore abhorrent from the law and constitution of this country, or of reimposing the oath which stood between our Roman Catholic fellow-subjects, and the enjoyment of their civil rights.

But of this more in the sequel. The matter is

only mentioned here, to point out the position in which we stand, as to this alleged "plenitude of Apostolical power," and the pretensions by virtue of that power, to "constitute and decree" things in their nature secular and territorial, and thus to trespass upon the department of temporal government under cover of a simply spiritual operation.

The Bull further decrees that the new hierarchy thus constituted, is to be governed according to the "common ordinance of the sacred canons, and Apostolical constitutions of the Roman Catholic Church;" by which clause the said canons and Apostolical constitutions are made the rules by which the hierarchs of the re-edified Church are henceforward to be directed in their management of the "Church of England" and of all baptized persons, whether Protestants, heretics or infidels, within these realms. We are therefore entitled before we take this new establishment to our bosoms, to inquire what these canons, &c. really are, and to resort to the accredited sources of Roman Canon Law for that purpose.

We should premise that in the sense of the Roman Church, there is no real difference between "Canons" and "Apostolical constitutions." After the process which the ancient canons of the Christian Church have gone through in her hands, there remains little of genuine Canon Law that is not of her own making. It is not possible, without swelling this pamphlet to the size of a volume, to go through the process requisite to substantiate this proposition. If needful, however, they are at hand, and may be readily produced.

The main features of these canons and constitu-

tions is, their utter intolerance in religion, and their inconsistency with civil independence and personal liberty in politics. I shall consider these two articles of charge chronologically, and without affecting to separate them from each other.

It would be possible to produce many Apostolical constitutions anterior to the reign of Gregory VII. (A. D. 1073 to 1086) of a persecuting character. But from that period to the pontificate of Boniface VIII. (A. D. 1294) they multiplied to a bulk which would fill an ordinary volume. In the year 1179, Pope Alexander III. pronounced a solemn curse against the Albigenian Protestants in Provence and Languedoc, the most prosperous, learned, and religious region in Europe.* The fourth General Council of the Lateran (A. D. 1215), held by Innocent III., after a sweeping condemnation of all heretics, proceeds thus : "And being so condemned, let them be handed over to the secular power to be duly punished ; and let the said powers, *whatsoever office they may hold*, be compelled, if need be, by ecclesiastical censures (excommunications and interdicts), to promise upon oath, all such heretics so pointed out to them by the church, in good faith and to the utmost of their power to expel, and utterly to exterminate from the lands subject to their jurisdiction."†

This execrable statute stands to this day unre-

* *Corp. Jur. Canon.* Decret. Greg. IX. Lib. v. tit. vii. c. 7. Richter's ed. p. 751.

† *Corp. Jur. Canon.* ubi sup. Lib. v. tit. vii. c. 13. — *ibid.* p. 758.

pealed, as one of those “sacred canons,” and “apostolical constitutions,” by which the new Roman Catholic hierarchy of England is to be governed.

Credible history, not impugned by the advocates of the Roman Church, attests that between the years 1209 and 1215, at least a million of Protestant Christians were massacred in obedience to this precept. It remained in active operation under papal patronage down to the close of the seventeenth century. Within thirty years of the institution of the order of the Jesuits, no fewer than 900,000 Christians became the victims of this bloody ordinance. The Duke of Alva boasted that he had, during his government of the Netherlands, delivered 36,000 Protestants to the hands of the common hangman. Within thirty years of its institution, the Inquisition, first established by Innocent III., the author of the statute in question, destroyed 150,000 victims; and in the year 1572 the Bishop of Rome offered up public thanksgiving to the God of all Mercy, for the cowardly assassination of 100,000 French Protestants, on St. Bartholomew’s and the two following days, a crime, be it noted, committed in strict conformity with the “sacred canon” and “apostolical constitution” just adverted to.

This canon was confirmed and re-enacted in several successive Councils down to the year 1514.* The Council of Trent, which was held between the years

* In the Council of Constance, held between the years 1414 and 1418; by those of Sienna and Basle in 1423; and by the 5th General Council of the Lateran in 1514.

1545 and 1563, republished the antecedent decrees, whereby all heretics who have received the rite of baptism, whether from orthodox or heretical administration, are brought under the control of the Roman Church. The canon runs thus: "If any one shall say that any baptised infant is permitted, when arrived at maturity, to choose whether he will abide by his baptismal vow made for him by his sponsors, and that he cannot be compelled by punishment to lead a Christian life, except by the use of the sacraments, until he repent, let him be accursed."* And if an excommunicated person shall for one whole year remain obdurate under ecclesiastical censures, he is to be proceeded against as a person charged with heresy.†

The canonical precept of persecution is admitted and taught down to this day by the Roman canonists wherever they can obtain a chair or hearers. Thomas of Aquinæ, in the thirteenth, and the Jesuit Robert Bellarmine in the sixteenth century, and many other doctors of the Roman Church, of scarcely inferior renown, laboured to establish it upon grounds of reason and experience.‡ Since the death of Bellarmine the ablest as well as the

* *Conc. Trident.* Canones et Decreta, Sess. vii. De Baptism. Canon 4, Le Plat, p. 65.—See also Can. 14, *ibid.* p. 67.

† "Tanquam de hæresi suspectus." *Ibid.* De Reform. Sess. xxv. c. 4; *Le Plat*, p. 303.

‡ *S. Thom. Aquin.* Summa Summarum, Lib. ii. c. 10, 11, 42, et Lib. iii. 48. *Bellarmin.* De Laicis, Lib. iii. 21, 22.

most accredited of the official expositors of the "sacred canons," and "Apostolical constitutions" of his church,—no change has occurred in this or any other respect in the opinion and practice of the Roman Church where she has the power.* To this day the same doctrine is taught in the Irish college of Maynooth from the work of Peter Dens, there adopted as a text-book of theological instruction. Dens, upon the authority of Aquinas, affirms it to be lawful to put heretics to death. "Inasmuch," says he, "as forgers of money and other disturbers of the State are justly punished with death, therefore also heretics who are forgers of the faith . . . this is confirmed by the command of God under the old law that false prophets be slain . . . the same is proved by the condemnation of John Huss by the Council of Constance."†

But in reply to the allegation of lay Papists that these detestable principles are no longer professed or held by their Church, and that to repeat them answers no purpose but to render them odious to their fellow-subjects, it is to be observed that not only do these precepts still remain unrepealed upon the statute-book of Rome, and are there enrolled among the "sacred canons" and "Apostolical constitutions" by which the soi-disant "Church of England" is to be governed under its new hierarchs, but that as

* Bellarmine died in the year 1621.

† *Dens* Theology, vol. ii. p. 88, 89.—See to the same effect *Delahogue's* Treatise on the Church; likewise a class book at Maynooth.—*Devoti* on the "Canon Law," vol. iv. sect. 1.

late as the year 1832 Pope Gregory XVI., in his Encyclical letter, admonishes us Protestants, and the Christian world in general, to bear in mind that nothing that has been once regularly defined ought to be retrenched, changed, or added to, but that *all* should be preserved entire and incorrupt both in sense and expression.*

We have it, therefore, upon the testimony of the Roman Church herself that the *duty of persecuting heretics to death* is part and parcel of that body of canons and constitutions by which the new hierarchy are to be directed and governed in their management of the re-edified Church of England; and we Protestants are moreover officially informed that by our baptism we are drawn within the wide circle of capital responsibility to the Church so re-edified, if, after preliminary censure, we shall continue for a year and a day to adhere to our old errors.

It is almost needless to observe that these remarks on the actual state of the Roman canon law, are not intended to raise any apprehension that the most unlimited acquiescence in the recent measure

* And compare with this the proceedings of Pope Pius VI. against the excellent Bishop of Pistoia, Scipio Ricci, for affirming, among other heretical opinions, that the Church hath no power beyond the limits of doctrine and morals, nor to exact obedience to her decrees by any other means than persuasion. This is declared in the sentence upon the Bishop to be at variance with the decree of Pope Benedict XIV. in his Brief "Ad Assiduas," A. D. 1755, *Corp. Jur. Canon.* Richter, vol. ii. p. 148 of the Appendix to the Council of Trent.

of Pope Pius IX. would rekindle the fires of Smithfield. We all know that any attempt to drive us into the fold of Popery, by active persecution, would be followed by the instant expulsion of the entire Roman drove from this country. But we know the nature of the Demon Persecution; that his name is 'Legion,' and that his forms are as various as those of the fabled Proteus. The den of Jesuitism is among the favourite haunts of this malignant spirit; he lurks in every corner of the unexplored labyrinth of the canon law of Rome; and when, presuming upon our ignorance and simplicity, that prodigious storehouse of chains and racks and fetters is thrown open for our inspection, we have a good right to take a survey of its contents, and to form a judgment of the temper and disposition of the proprietors and inventors. Surely after the glimpse we have had of what under conceivable circumstances may be our fate, we are entitled to say to them, before we yield them our confidence: "First clear out these unseemly implements; cart them off to their own place — that place to which your champion Bellarmine desired to consign us heretics,* — put it out of your own

* "If," says the Cardinal, "you threaten them (the heretics) they neither fear God nor regard man, knowing that there will not be wanting fools who believe them, and by whom they will be maintained if you put them in prison or banish them; they corrupt their neighbours with words, and those at a distance with books. Therefore the only remedy is *to send them speedily to their own place.*"

power to apply these detestable maxims to us or our posterity ; repeal laws written in the blood of our brethren in the faith all over the world ; repeal them by the same authority and with the same publicity, as that with which they were promulgated. When this is done we withdraw our opposition, and lay open to you the whole field of proselytism. Make as many converts as you can, provided you set about it as your own excellent Bishop Ricci proposed : by the sword of the Spirit ; by gentleness and persuasion ; by learning and diligence in your vocation ; and by the example of a holy and religious life. But as long as the stake, and the rack, and the thumbscrew, are visible in the background of the landscape, however faint the outline, we will neither approach you nor suffer you to approach us. For we know that there are more ways of torturing the consciences than the bodies of men, and that the spirit and the temper, that dictates both the one and the other, are the offspring of the same parent. When you ask us not merely to tolerate you, but to give you every chance and opportunity of ascendancy, it is no unreasonable demand that you should give us some solid security for reciprocal toleration. Neither is it any answer to our counter-claim, to allege that you have put it out of your own power to grant it—that your church is infallible, its maxims recorded beyond human change, its decrees fixed as fate—that they are as the writing upon the tables of stone, which Moses brought down from Mount Sinai—steadfast as the rock of ages upon which they are based—

we admit that the chasm between us is a great gulf, greater far than appears upon this secular view of our relative positions. Be it so. We have advanced to the very edge of the precipice in the vain attempt to grasp the hand of fellowship across it. Another step, we feel, would plunge us into that annihilation to which the recent Bull of your Pontiff has by anticipation consigned us."

Again: we learn from the same testimony that it is part and parcel of the 'sacred canons' and 'Apostolical constitutions' of the Roman Church, that no true son of that Church is bound by any oath, promise, or engagement, that is or may be prejudicial to its interests—and that faith is not to be kept with heretics.

During the ruthless persecution of the Albigenses in the 13th century by Pope Innocent III. and his successors, that pontiff excommunicated Count Raymond of Thoulouse for his criminal reluctance to shed the blood of the most learned, industrious, and virtuous body of men within his dominions. The motive and the rule upon which the anathema was grounded is thus given: "Inasmuch as following the *canonical* sanctions of the holy fathers (sacred canons and Apostolical constitutions) we are not justified in keeping faith with those who keep not faith towards God, or are separated from the communion of the faithful, we discharge by Apostolical authority all those who believe themselves bound to the said Count by any oath of allegiance or fidelity; we permit every Catholic man to pursue his person, and to occupy and detain his lands,

more especially with a view to the extermination of heresy.”*

I do not quote the terms in which the Council of Constance justified the treacherous murder of John Huss in violation of the safe-conduct granted by the Emperor Sigismund, because, though uncontradicted, I do not find them upon the authentic roll of the church of Rome.† But in the year 1421, Pope Martin V. addressed “Letters Apostolical” to the Duke of Lithuania exhorting him to persecute heretics within his dominions; assuring him that if perchance he should have tied himself down by any promise or engagement to such wretches he would commit a mortal sin if he kept his faith with them, who were themselves violators of the holy faith of God.‡

In the year 1487, Pope Innocent VIII. issued “Letters Apostolical” for the extermination of the descendants of the remnant which had escaped the slaughter of the Albigenses in 1209 and the following years, and assigning the lands and property of the heretics to those who should do good service in

* *Sismondi*, Hist. de France, tom. vi. p. 270. Compare with this *Pet. Vallium Sarnaii* Monum. Hist. Alb. c. 8, ap. *Dom. Bouquet*, Hist. des Gaules, tom. xix. p. 23.

† *L'Enfant* Hist. du Concil. de Constance, tom. ii. p. 491.

‡ Quod si tu aliquo modo inductus, defensionem eorum suscipere promisisti, scito, te dare fidem hæreticis violatoribus fidei sanctæ non potuisse; et idcirco peccare mortaliter, si servabis; quia fideli ad infidelem non potest ulla communio.—*Cochlæus*, lib. v. p. 212.

exterminating them ; declaring at the same time all persons bound to them by tenure, service, promise, or engagement of any kind, discharged from any and every obligation theretofore or thereafter contracted. Then, after depriving ecclesiastics, if any such there should be found among them, of their dignities, offices and benefices, and the *laity of their honours, titles, fiefs and privileges*, the Papal commissioners under the Bull were directed further to absolve such as might wish to return to the bosom of the church, although they may have sworn to favour the heretics, provided that by taking a contrary oath they give sufficient security for the breach of the first oath.*

In the Decretals of Gregory IX. this maxim is thus expressed, “ Be it known to those who are in any manner bound in obligation to persons who have fallen into heresy, by whatever assurance or solemnity such engagement may have been fortified, that they are absolutely absolved from all fidelity of homage, or observance towards such persons.”†

It is unquestionable that the Queen, the Legislature, the Church, and the entire Protestant population of this empire, are in the predicament of these unfortunate “*lapsi in hæresim.*” When the Pope shall please to declare any terms we may have entered into with our Roman Catholic fellow-subjects, to be so disadvantageous to the interests of his

* *Leger*, Hist. des Egl. Vaudoises, vol. ii. c. 2. The original of this Bull is, it is said, in the University library at Cambridge.

† *Decret. Greg. IX.* lib. v. : tit. vii. c. 16, ap. *Richter*, Corp. Jur. Can. tom. ii. p. 760.

Church as to require a change, there would be no canonical difficulty in the way. Not that we apprehend any such public declaration at this moment, or at any assignable period hence; but where a principle of such a nature is not merely entertained, but laid up in the sacred storehouse of religious precept, its secret influence upon the minds of its professors must undermine every sentiment of truth and good faith. It is not that they would not, but that they dare not bring it into practical operation. We must treat them as we would a man whom we know to have concealed about his person a deadly weapon, which, on being required so to do, he refuses to cast from him. What, we might ask, has he to do with such an instrument about him in a time of peace, if he does not intend to injure, or at least to intimidate us? He may be too weak or too timid to use it with effect, and therefore we apprehend no immediate attack; but we know that the fact by itself indicates a malignant mind; we therefore decline all intercourse with him, under the conviction that if he cannot wound us in one way he will in another.

I submit, therefore, that until this precept of Pope Gregory IX. is repealed, we cannot safely permit the introduction of a hierarchy whom we can bind to no terms inconvenient to Rome, or the interests of their church.

There are, however, some of these 'sacred canons' and 'Apostolical constitutions' to which the Bull of Pope Pius IX. points our attention, more particularly claiming notice as proofs of that *temporal and political* tendency which never for a moment escapes

the eye of the attentive student of papal history. I allude to the bulls "Unam Sanctam," "Clericis Laicos," and "In Cœna Domini." The first of these was an ancient statute of the Roman church republished by Boniface VIII. in the year 1302.* "We are instructed," says this document, "in Scripture, that this (the Roman) church hath in its power and disposal two swords, the *sword spiritual* and the *sword temporal*. For when the Apostles, addressing the Lord said to him, 'Here—that is, in this church—are two swords,' the Lord did *not* reply 'it is more than enough,' but simply, 'it *is* enough.' Of a surety, therefore, he that denies that the temporal sword is entrusted to Peter, pays little heed to the words of the Lord, saying, (*Matth.* xxvi. 52,) 'Return thy sword into the scabbard.'† Both these swords, therefore, are at the disposal of the Church, the spiritual sword namely, and the material; but the latter is to be wielded *for* the church, the former *by* the church; the spiritual by the priesthood, the carnal by the hand of kings and warriors; but at the beck and by the permission of the priesthood.‡ But it must needs be that *sword be subject unto*

* *Extravagant. Commun.* lib. i. tit. viii. c. 1, ap. *Richter*, *Corp. Jur. Civ.* vol. ii. p. 1139. *Comp. Fleury Hist. Eccles.* tom. xix. p. 34.

† A marvellous exposition! After this fashion there is indeed no knowing what may be made of Scripture. The concluding words of the verse are very prudently suppressed.

‡ "Ille sacerdos, is (materialis gladius) manu regum et militum, sed *ad nutum et patientiam sacerdotis*."

sword, and that the temporal authority be subject to the spiritual power," &c. The document goes on by the most grotesque exposition of Scripture, to inculcate the propositions that by as much as the spiritual power excels the temporal in dignity and excellence, by so much must the latter be subordinate to the former; that it is proved by the Word of God that the temporal powers are under the tutelage and judicial correction of the spiritual; that the spiritual is the natural judge of the temporal; that the former, though placed in the hands of a man like ourselves, is really divine and not human; that he who resists this power resists the ordinance of God; and lastly, *that every human creature must be subject to the Roman Pontiff.*

The Bull "Clericis Laicos," the production of the same pontiff, Boniface VIII., was issued some six years before the former. It recites the vexatious imposts, talliages, forced loans, &c. under which the clergy had greatly suffered in their purses; and it goes on to enact that if any ecclesiastic, of whatever rank, should dare to pay, or any "emperor, king, prince, duke, baron, officer, bailiff, or other layman, should dare to impose or levy any tax or impost of any kind upon the clergy of his empire, kingdom, principality, &c. they, their aiders, abettors, and comforters should be *ipso facto* excommunicate." It threatens all nations (universitates), laymen as well as ecclesiastics, with the Interdict, if they pay or countenance the payment of any such tax or impost; and enjoins them, without scruple, to break any promise or engagement they

may have come under to levy or to pay prior to the promulgation of that ordinance.*

The kings of England and France, Edward I. and Philip le Bel, returned the only sensible answers to this pernicious and insolent attempt to exempt the largest masses of property in both kingdoms from their share of the national burthens. Edward I. sealed up the granaries of the clergy who refused to pay; and Philip prohibited the export of bullion, money, gold or silver, plate, jewelry, and all other valuable articles of a portable character out of his kingdom without a special licence from himself.

The date of the Bull "In Coena Domini" is not quite certain. It was republished, and made of perpetual obligation, by Julius II. early in the 16th century. It was revived by Pius V. in 1568; again by Benedict XIV. in the middle of the 18th century; Pius VI. quotes it at the close of that century, and it has ever since been a great favourite of the court of Rome. It takes a wide sweep over the entire domain of spiritual superintendence, *e. g.* the treatment of heretics and their abettors, of pirates and maritime depredators, clerical taxation, abuse or ill usage of prelates, &c. It censures more particularly those who attempt to restrain the ecclesiastical tribunals, though it be to prevent their excesses, whether the persons so offending be the counsellors or attornies-general of emperors,

* *Sexti Decret. lib. iii. tit. xxiii. c. 3. ap. Richter, ii. p. 1000.*

kings, or dukes; as also all who shall usurp the estates of the Church; and lastly, it exempts all ecclesiastics from the tributes, charges, and imposts which lay subjects usually pay to their sovereigns.*

What share in the temporal powers of the State would be left to the governments of Christendom, if the principles involved in these enactments were fully established, it is extremely difficult to conjecture. Again, however, the reader must be reminded that they are part and parcel of those "sacred canons" and "Apostolical constitutions," embodied by reference with the general instructions to the new hierarchy for the government of their churches. Calling to mind that the ultramontane doctors to whom the management of the "re-edified church of England" is entrusted will probably not shrink from the principles involved in the documents above adverted to, we may form some idea of the kind of subjects her Majesty is likely to find in them and their pupils—whether they will be disposed to submit tamely to the temporal sword, neither placed in her hands by the Pope, nor wielded at his beck or for his benefit—whether they will tolerate mortmain, or taxation, or legal restrictions upon landed acquisition, or tithes in other hands than their own—whether they will not strain every nerve, and put in practice every device which turbulence, agitation, cunning, persuasion, or canonical simulation can suggest to obtain an

* *Fleury*, Hist. Eccles. tom. xxxiv. p. 545. This Bull was rejected by Spain, France, and Venice, and very ill received in Germany and elsewhere.

influence in the legislature, and to supplant the national prelacy. I am firmly convinced they will resort to all these expedients by turns. I believe that warfare with all who resist is as much the element of their ecclesiastical, as the air they breathe of their physical existence.

I now beg leave to draw the reader's attention to a clause of the Bull which is chiefly worthy of attention on account of its studied ambiguity. By this clause "All regulations, constitutions, privileges, or customs in the ancient system of the Anglican churches are, by the plenitude of the Apostolical power, repealed and abrogated, and that all power whatsoever of imposing obligation or conferring right in those regulations, privileges, or customs, by whomsoever and at whatsoever *most ancient and immemorial times* brought in, be altogether void and of none effect for the future." And this clause stands in connexion with another which directs that "all rights and privileges of the ancient sees of England, and all other things contravening the foregoing ordinance be annulled and repealed;" and concludes thus: "Moreover we decree that if *in any other manner*, any other attempt shall be made *by any person, or by any authority*, knowingly or ignorantly to set aside these enactments such attempt shall be null and void."

The question we have to sift is simply how do these expressions affect the civil and ecclesiastical constitution, and the liberties, political and religious, of the people of these realms?

After returning thanks to God, the Virgin Mary,

and the saints-patrons of England, that it has been granted to him to restore the Episcopal sees of England, this foreign prince and prelate goes on to decree that the instrument shall under no imaginable circumstances be impugned, or its validity be in any way affected. The words used are as general and comprehensive as it is possible to make them.

Are they restricted—satisfactorily restricted—by what follows? “All general or special enactments, notwithstanding, whether apostolical (papal) or issued in synodal, provincial, and universal councils.” It may perhaps be contended that this clause overrides and controls all that follows. To my understanding it is no more than an item—a general one, perhaps—in the list of possible objections to the validity of the Bull, which the Pope desires to clear out of the way. If so, it stands unconnected with all the following *non obstante* clauses. These clauses then go on to remove all impediments arising out of the rights of the ancient sees of England—those, namely, now held by the bishops of the establishment—also all obstacles which the late missionary or vicarial system, or which the rights of churches, and places of worship of any sort may present; “lastly, notwithstanding all other things to the contrary whatsoever.” We ask, are all these things annulled in substance, or to be only inoperative as against the Bull and its eventualities? This question, I think, is pretty well explained by the preceding clause, repealing and abrogating “all regulations, constitutions, privileges, or customs in the ancient system of the *Anglican churches*”—that very system, be it

remembered upon which the regulations, constitutions, privileges, and customs of that institution which we alone know by the name of the *Anglican Church* actually rest. It cannot be alleged, on the part of the Pope, that *his* Anglican church is another and a different church from ours, and that his regulations relate only to his Anglican church, and not to ours. For, in the first place, he takes upon himself to push aside the rights of the *ancient* sees of England, and of course those of the present tenants; and in the second, he presents himself as the restorer and re-edifier of the *ancient* Church of England. But finding, that in order to accommodate himself to the exigencies of the times, it is requisite to change the constitution of that Church in the most material particulars, he presumes to strike away the very foundations upon which the existing National Church reposes. The rights of the ancient sees of England are by law vested in the actual archbishops and bishops of those sees. The law which thus vests them, is the ancient Common Law of the Church and State of England. The rights of the ancient sees of England extend over every part and portion of English territory. The new hierarchy is in every respect commensurate with the old; it embraces territorially all the ancient sees; and in any other state of things these rights would present insuperable obstacles to its establishment. In this view of the question, the least that can be said of the clause is, that it presumes to repeal the ancient Common Law of the realm, as far as it stands in the way of the papal project. But the repeal of one jot or

tittle of any law or legal system implies a power to repeal the whole. If we tamely suffer this assumption to pass, no rational man can doubt what language these ultramontane canonists will hold hereafter.

But we shall be told, that the rights of the two episcopal systems cannot clash, for that those withdrawn, as well as those assumed, are purely spiritual. But I would ask, by what authority does this stranger presume to abrogate even the spiritual rights of the ancient sees of England? These spiritual rights are, we presume, still under the protection of the law, quite as much as the temporal rights of those sees. All those rights, whether spiritual or temporal, are still vested in the Queen and the bishops, as they have been from time whereof the memory of man runneth not to the contrary, without equal or rival. If indeed our Church was but of yesterday's date, as Papists delight in representing it, they might reasonably enough say to us—"You have nothing to do with the ancient sees of England, for they are our concern, not yours." And this observation discloses to us the importance of not permitting these ingenious sophists to heave the National Church out of its natural foundation in the ancient, common and ecclesiastical law of the land.

At all events there lurks in this clause of the Bull a very serious, and a very suspicious ambiguity. It is an ambiguity that might and ought to have been avoided — an ambiguity, therefore, which raises a strong presumption that it was introduced by design. And knowing that the non-official expositions of the Papal advocates never

have been held to bind the Holy See, we are thrown back without resource upon the Papal instrument itself, and must endeavour in the best way we can to determine therefrom its latent as well as its manifest drift and meaning.

We maintain that the Anglican Church—not this new creation of pontifical arrogance—stands upon those very “constitutions, privileges, and customs, in most ancient times brought in—upon those rights and privileges of the ancient sees of England,” which (till he officially contradicts us) we affirm that the Pope has repealed and abrogated. But in these things it is that its strength lies; upon these depend its prescriptive rights; its claim upon legal recognition and protection, and its hold upon the affections of a large majority of the people. We must not therefore permit any power external to the Church and legislature of the country, more especially an alien to our laws, a stranger to our people, an enemy to our religion, a ‘foreign prince and potentate,’ to hold language like this without such explanations as shall accurately and positively disclose the latent meaning of his ambiguous expressions, leaving us at liberty to accept or reject them,—even when we have them under the only warranty we will accept—under the fisherman’s ring.

We must acknowledge that to give such explanations, without in some shape or other admitting the existence of a national Church, hitherto so anxiously and ingeniously avoided, would be a sore puzzle to Pius IX. as well as to his able adviser, Dr. Wise-

man. But that is their affair. The intromission of Mr. Shiel at Florence must be absolutely protested against. Whether he be clothed with an official character in his intercourse with the court of Rome or not, matters not a pin. No semi-official assurances or explanations can change one jot or tittle of an infallible Bull. Nothing but Infallibility II. can make that clear which Infallibility I. hath left in doubt.

Quitting this subject, let us very shortly examine the mode in which this Bull has been used and justified by its organs and advocates.

§. 11. *Dr. Wiseman's Pastoral Letter.*

I select this document for examination next after that of the Papal Bull, because it seems to offer the most authentic exposition of the drift and meaning of that instrument. I propose, however, to notice it only in those points in which it seems to throw light upon the principal object of inquiry before mentioned.

Wiseman's address, like the Bull, to which we may regard it as a sort of rider, removes the Church of England out of sight altogether, as if it were a nonentity, and treats the novel establishment as if already not merely in the ascendant, but standing alone in the land. By this mode of dealing with the establishment, some advantage is gained. By neither admitting nor denying anything, it gave the go by to all controversy — it declined placing the new hierarchy in competition with a canonical nonentity — and at once established the

Papal decree upon the only ground that was thought suitable to its transcendent claims, and most likely to impress the minds of the masses with awe and admiration.

The Pastoral, therefore, knows nothing of any "Anglican Church," but that of the Bull; and as absolutely ignores the Queen and her constitutional rights, as if both were non-existent. But upon the *non obstante* clauses, Dr. Wiseman is very circumspect. According to his exposition of them, they are no more than a setting aside of all dispositions and enactments made for England by the Holy See, with reference to the missionary or vicarial state. And this, I believe, is the understanding the Papal hierarchs desire, for the present, to establish in the minds of Protestants. I would merely call upon the reader to re-peruse the plain words of these clauses, and ask him, after reading them, whether the restriction contended for can be maintained. Again, it cannot be too strongly borne in our minds that Dr. Wiseman has no authority so to restrict the meaning of his infallible master. As no one can judge, so no one can fully understand or explain what the Pope says but himself. But we who see no religious reason to give any credit to this transcendental document but what it appears upon the face of it to deserve, must be allowed to put the natural interpretation upon these clauses.

In the same way, when the writer informs us that in conformity with his appointment to the Archiepiscopal see of Westminster, "he *governs*, and will continue to govern the counties of Mid-

dlesex, Hertford, and Essex as ordinary thereof;" we interpret the words in their natural sense. Agreeably to the main policy of the measure, they must be taken to imply a sole and exclusive government, not of the Roman Catholics within the counties in question, but of the population in the aggregate. Considering that it would have required merely the insertion of a few words to make the writer's meaning quite clear, and to shut out all misapprehension on our part, we have a full right to assume that the words used mean neither more nor less than they naturally import. Now the words used exclude every other government of the same kind; consequently that of the Anglican prelates, whose spiritual jurisdiction extends over those counties. This exposition, moreover, is placed beyond controversy by the well known principle of the Roman church, that there cannot be two archbishops within the same province, nor of two bishops within the same diocese.* As the official interpreter and executive officer of the Pope, we therefore understand him to affirm of himself that he is the *sole* archbishop of the province of Westminster, as well as the *sole* bishop of the diocese thereunto annexed as ordinary, with jurisdiction over the entire population, without distinction of Roman Catholics and Protestants. The law of England, however, recognizes and maintains two other archbishops, and several other bishops, whose lawful jurisdiction extends over the whole of this

* *Gratian. Decret. Dist. ci. ; c. un. p. 304* — *Comp. Van Espén Opera, tom. iii. p. 88 and 554.*

pretended province of Westminster, as also over that district which the Bull annexes to Dr. Wiseman's Archiepiscopal see. The obvious intention, therefore, of the Pope and his chosen interpreter is quietly to set aside the law of the land ; and, as in times past, to steal a recognition, which shall make it difficult, if not impracticable, to resist its universal and exclusive pretensions.

The pretended cardinal-archbishop next informs us, in a tone of no little self-complacency, that the Pope has been pleased to confer upon him the Pallium, which he rightly describes as the badge of the metropolitan jurisdiction. But we should always bear in mind that it is likewise the badge of his absolute dependence upon a foreign sovereign,* and that it is granted to a subject of that sovereign and a prince of his State and Church ; that it is borne by one who has contracted temporal and spiritual obligations, beyond all account transcending his natural allegiance : that the Pallium *per se* is the symbol of the Pope's " Plenitude of Apostolical power ;" that it is a visible delegation of a station, entitling the recipient to temporal rank and title—those, for instance, of " Your Grace," and " My Lord"—and these he demands solely '*virtute Pallii.*'

We have here, therefore, the sworn servant and liegeman of a foreign prince, selected to re-edify

* On the Pallium and its attendant obligations, see *Du Cange*, as quoted above. *Twysden*, p. 47 ; and compare *Decret.* Greg. IX. lib. i. tit. viii. c. 3, 4 ; ap. *Richter*, ii. p. 97.—*Gratian.* *Decret.* Dist. C. c. 1. *Richter*, i. p. 300.

our Church—the “Church of England.” And it is surprising with how little trouble this great work is effected. The new cardinal-archbishop is himself quite astonished at it. “He has not leisure to relate how wonderfully all this has been brought about.” And yet he tells us that “the great work is complete—that *our beloved country* has received a place among the fair churches which, normally (papally) constituted, form the splendid aggregate of the Catholic communion. *Catholic England* has been restored to its orbit in the ecclesiastical firmament, from which its light had long vanished, and begins now anew its course of regularly adjusted action round the centre of union, the source of *jurisdiction*, of light, and of vigour.”

I do not believe that there is to be found in the whole body of the Roman Decretals a fuller and more pregnant expression of the entire spirit and moral of the great imposture. No man knows better than Dr. Wiseman, that what he states in this passage, is, in the ordinary sense of the words used, an unqualified falsehood. He knows full well that “our beloved country” is still Protestant England; that it is not, in his sense, “Catholic England” at all; and yet we shall soon find him “authorising” his extra-official advocate, Mr. Bowyer, to admit that his “Catholic England” is only one of many dissenting communions in this country,* and to claim for it no other privileges than are enjoyed by any other dissidents from the National Church.

* Mr. Bowyer publishes “By Authority,”—beyond all doubt, by the authority of his cardinal-archbishop.

Yet some excuse might be alleged for this untruth, if he had not in the elation of mind, produced by his great elevation, gone a step beyond the Bull itself. It might be excuseable in him not to know or say more than his master knew and said. As the Pope had resolved to be quite ignorant of the existence of any Anglican hierarchy, of any supremacy, or of any laws but his own "sacred canons and apostolical constitutions," his official organ would not have been much to blame for pursuing the like course. But he has shot a shaft a-head of his master. He tells *us* that by a stroke of the Papal pen our "beloved country" is no longer Protestant, but "Catholic England," and that we, who had long vanished from "the ecclesiastical firmament," have at length found a place there suited to our rank and station among the "Catholic" nations of the earth. This shameful falsehood imposed upon Dr. Wiseman the necessity of employing another hand to plaister up the wound he had inflicted at once upon the Protestant mind and his own character ; and in effect to unsay what his principal had proclaimed *ex cathedra*, and humbly to crave for his cardinal's "Catholic England" a place among the dissenting churches of Great Britain.

In a word, the impression which the new prince-primate intended to produce was: that the late acts of our legislature, and of the ministers who have subsequently carried out the various measures for the relief of the Roman Catholics, are to be taken as equivalent to a formal national reconciliation with Rome. The Pastoral, like the Bull, is

addressed to *all* the Queen's subjects, without distinguishing between Roman Catholics and others. Rome has thereby thrown her arms wide open; she has called to us by the endearing name of "Catholic England;" she will henceforward—or for a time at least—know of none but "the faithful;" she has ranged us all on the right hand of her throne; she has exhorted us all there to pasture together in peace, till she shall be at leisure to separate the sheep from the goats. The Pastoral is therefore directed to be read "in *all churches and chapels* of this our archdiocese of Westminster;" not, it is to be observed, of the Roman communion, but in "all churches and chapels." Why, we ask, was this matter left in doubt, if the measure was really intended solely for the benefit of that single communion? Why was our "beloved country" left in ambiguous conjunction with "Catholic England?" Why was all distinction between the "Church of England" and the Protestant establishment so carefully avoided? Why, the "plenitude of apostolical authority," in its extent and application, left in such studied vagueness? Why all this; if a single word would have made the drift of the measure clear, and taken away that suspicious ambiguity which lurks in every paragraph both of Bull and Pastoral? We, therefore, boldly affirm that the object alleged, and the justification set up for this insolent attempt to subvert our religious liberties, is a mere deceit—a simple false pretence; and we proceed to shew that it is so by

other witnesses, whom Rome will not be allowed to disavow.

Mr. Newman, the zealous proselyte, the father superior of the Oratorians of Birmingham, upon the occasion of the installation of Bishop Ullathorne in his new see, preached a sermon, in which the following passage occurs:—"The *people of England*, who for so many years have been separated from the see of Rome, are now about *of their own free will*, to be again added to the Holy Church. Catholic bishops may now go forth with their croziers in their hands, and children clad in white may testify to the revivification of the true church. *The whole face of society is changed*. Three hundred years ago the Catholics of England became tired of the blessings they enjoyed, and they were separated from the hierarchy. The mystery of God's Providence is now, however, fulfilled. I do not recollect any people on earth but those of Great Britain who, having once rejected the religion of God, were again restored to the bosom of the Church. But what has God done for them? It is wonderful in their eyes! The holy hierarchy has been restored. The grave is opened, and Christ is come out."*

Now we will pin this choice scrap of oracular affectation to the Bull and Pastoral, and interpret the three documents together. No man in his senses would say other than that the measure is general; that it supersedes, and is intended to supersede the law of the land, as applicable to the

* "Times," 29th Oct. 1850.

Church of England by that law established. We therefore reject Bishop Ullathorne's, or even Dr. Wiseman's explanation in the teeth of documents so plainly holding a different language. These gentlemen, as well as their chosen advocate, Mr. Bowyer, tell us, in their character of volunteer expositors, that "the Bull is an act solely between the Pope and his own *spiritual subjects*—those who are recognised as such by the Emancipation Act; that it regards only spiritual interests, and that in all temporal matters, they (the Romanists) are subject to and are guided by the laws of the land." This cannot be: for in the documents before us, the Pope claims the entire kingdom as his spiritual domain; and in conformity with that claim, its subjects cannot, without breach of their allegiance, have any other religious church establishment, discipline, or ritual than his. If Dr. Ullathorne's definition of the terms "spiritual subjects" be identical with that of the Bull, the Pastoral, and the Sermon of the oratorian chief, his exposition is a simple imposition; for upon the face of those documents we all—Churchmen, Presbyterians, Independents, Baptists, &c.—stand as the "spiritual subjects" of the Pope.

To the Bishop's remonstrance: "that it is unfair to confound the boon to the Catholic church *in* England with ideas of aggression upon the English Government and people"—we reply, that neither the Bull nor the Pastoral mention their hierarchy in any other terms than the "*English Church*," the "*Church of England*," or the "*Anglican Church*."

They have never once used the words “Church *in* England.” The proclamation, therefore, of the new establishment of bishops for England, clearly denotes an aggressive intention; and when we find that it is to be accomplished by a new territorial division of the entirety of the ancient kingdom of England, over the whole of which the spiritual jurisdiction of the bishops of the Established Church actually extends; what ingredients, we may ask, are still wanting to convert such language explained by such acts into an aggression upon the Government, and the laws of the land?*

I had prepared some comments upon Dr. Ullathorne’s pastoral letter to his two dioceses of Birmingham and Nottingham,† and had proposed to myself to examine rather more minutely the address of Dr. Briggs, the new titular of Beverlêy. My attention was also drawn to a sermon preached by Dr. Doyle, at St. George’s Chapel, Southwark,‡ in which some expressions occurred, strongly illustrative of the ultimate design of this movement. But reflecting, that upon the whole there was little novelty in these exhibitions of mingled pride, spleen, and cunning, and that what they have enunciated does not in any degree vary the views of the Bull, its scope, and intent, already laid before the reader, I pass on to the manifesto of the accomplished lawyer, whom the Pope and Dr. Wiseman

* See Dr. Ullathorne’s letter of the 22d Oct. published in the “Times” of the 24th of that month.

† “Times,” 28th Nov. 1850.

‡ “Morning Chronicle,” Monday, 28th Oct. 1850.

have retained to plead their cause before the tribunal of British common sense and justice.

§. 12. *Mr. Bowyer's Pamphlet.*

I will state at once what seems to me to be the argument of the learned gentleman. It is shortly this:—"You have abolished the oath of supremacy as against Roman Catholics, and by that act you have legislatively admitted the religious supremacy of the Pope in this country, and have legalized all the consequences that naturally flow from that recognition."

We deny, however, that the Act of 1829 does admit the spiritual supremacy of the Pope in any legislative sense. We also deny, even were it so, that *that* would be sufficient to legalize the consequence Mr. Bowyer regards as the *natural* results of such recognition. We protest more particularly against this latter inference; and trust that we shall be able to shew that it implies a total surrender of our religious, and of a large portion of our political liberties—not so much to our Roman Catholic fellow-subjects, as to the Pope and his active agents, the newly established hierarchs.

In the first place, there could be no occasion for any parliamentary license for Roman Catholics to believe in the spiritual supremacy of their Pope. In this country any man may *believe* what he pleases; therefore the Act of 1829 could not have contemplated giving them a right they had before. That Act went no further than to substitute for the oath of supremacy taken by Protestants, such an oath as should not deprive a portion of our fellow-sub-

jects of their civil rights, by reason of a scruple of conscience on their part to recognise the spiritual supremacy of the Queen. In this there is no other recognition of the Roman Catholic church, or its head, than in the legislative measure relieving Quakers and Moravians from taking oaths, there was a design to recognise a Quaker or Moravian church government as legally established in this kingdom, or to permit them to hold any tenet subversive of the royal prerogative.

But says Mr. Bowyer: "The Roman Catholic church, being not only tolerated but *recognised*, unless it be so with the features essential to its proper nature and constitution, such toleration is a manifest absurdity." We think the absurdity would be all the other way. We have shewn that it is a feature essential to the proper nature of Romanism to hold, that heretics are to be coerced and punished;* that by the Bull, "Unam Sanctam," the Pope is held to have *temporal* supremacy whenever its exercise is requisite to the fulfilment of his ecclesiastical purposes: that promises and oaths are not binding upon the faithful, when they shall turn out to be disadvantageous to the schemes of the Pontiff, or the interests of his church. If, therefore, Mr. Bowyer's argument be good for any thing, we have, by the simple repeal of an oath, burthensome to the consciences of Romanists, legalized and permitted them to carry out all these "essential features" of their religious creed;—in other words, to trample under foot the law and constitution of England.

* See pages 109—113.

Without dwelling further upon this extravagant assertion, I will only remark, that though we are pretty confident that the Roman Catholics cannot, —very few of them probably would, if they could,— attempt to carry it out in practice, yet we know, likewise, that within these extreme limits of ambitious pretension, intolerance, and persecution, there is a vast range of mischief to which we may well hesitate to expose the Crown, the Church, and the laws of our country. Indeed, if we look at these “essential features,” with reference to the law and practice of the constitution, we find them to be profoundly illegal in their nature and operation; and moreover, that they are neither obsolete nor revoked, but that, on the contrary, they have been, down to the latest times, solemnly avowed and republished by the very authority from which the late Bull proceeded.*

We must beware how we permit the malignant spirit, lurking in these “essential features,” to poison the life-blood of our social existence. Admitting that, under existing circumstances, its specific operation must be very gradual; yet if we allow the demoniacal influence to become naturalized among us, the difference will only be between a slow and a quick poison. It cannot be doubted that the hierarchs and their emissaries will spare no pains, fair or foul, for the overthrow of the national establishment.† We know that for this

* See pp. 112, 113.

† See the joyous anticipations of Dr. Doyle in his sermon of the 20th Oct. 1850.

purpose they will urge upon the consciences of their laity, a great variety of ordinances and practices upon which neither their judgment nor their loyalty will be consulted. But as this circumstance makes no difference in the obligation on their part to obey, they can give us no assurance to-day what will be their duty to-morrow. But obedience to the supreme pastor and his accredited ministers, is one of the “distinctive features” of the Roman Catholic persuasion; and thus, if we admit Mr. Bowyer’s conclusions, we shall have denuded ourselves of the means of knowing or measuring the amount of the obligations we have contracted towards our Roman Catholic fellow-subjects. But Mr. Bowyer boldly contends that the Church of Rome is not only tolerated, but recognised by the law of the land as a body known to the law, and as having certain *characteristic features* of its own, *essential to its existence as such*. That our legislators knew of the existence *de facto* of such a body, I am not disposed to deny; but I do emphatically deny that they knew of, or acknowledged its existence as a body *de jure* endowed with any attributes at all; for not only does it so happen that the law neither does nor can officially know what those attributes are, but that when the lawgivers come to examine the repertories of canonism, they find that the principles there set down, stand in direct and irreconcilable contradiction to the law and constitution of the kingdom, and to the liberties, civil and religious, of the people of this country. These, therefore, cannot be legally taken notice of by the

legislature, and yet they stand, written in letters of adamant, as the “essential attributes,” the “characteristic features” of Popery.

But the Roman advocate takes care to leave these his favourite expressions in all their obscurity of meaning. He tells us that it is absurd to talk of toleration, and yet not permit the tolerated to hold and practically carry out the essential principles of their faith. He discharges us from this presumed absurdity, by taking it for granted that the mere repeal of the oath of supremacy amounts to as direct an establishment of his Church, as if there had been inserted in the Act of 1829 a clause to the following effect: “And be it further enacted by the authority aforesaid, that the Roman Catholic communion is hereby recognised as a church known to the law, and as possessing certain essential features, without which it would cease to be the Roman Catholic church; all which features, however numerous, whether known or unknown, published or unpublished, are at all times, and by all courts of law and equity in this kingdom to be taken and deemed to be the legal attributes and features of the same church, and to be judicially taken notice of as such.”

Mr. Bowyer in words, reduces his demand to the modest one of toleration, such as that enjoyed by all other dissenting bodies. How could it be imagined, he urges, that so noble, so influential a community as the Roman Catholics of this great country would be contented to remain in the degraded state of a mere missionary church, as if it were planted in China, or some other heathen country? Besides,

would not their continuance in such a state have been a positive libel upon the justice, liberality, and toleration of public opinion !

This sort of "fie for shame" argument cannot go for much, when we consider who it is that urges it, and what they really ask for. This lowering of tone sits ill upon a community, whose organs hold one language at one time and in one place, and another when and where circumstances are different. In Ireland the Roman Catholic organs repudiate toleration with bitter scorn and contempt. They claim ascendancy as their right, and demand it with a voice of thunder. In England Mr. Bowyer is instructed to sing small. But we know that the late Mr. O'Connell, and John of Tuam have held the genuine language of their church, a language she never lays aside but when some preponderating expediency prescribes another tone. But in truth, the drift of Mr. Bowyer *does* perfectly coincide with the avowed object of the Irish hierarchs. His toleration is no other than establishment — organization — legalization — supremacy. The elimination of our National Church follows, as a matter of course, from the recognition of the "essential features" of his own ; it is one of the natural consequences of the repeal of the oath of supremacy, which repeal, he tells us, made it lawful to deny the Queen's headship, and to transfer that prerogative to the Pope.

Now, as before observed, it is one of the "essential features" of the Church of Rome, that "there cannot be two archbishops of the same province, nor

two bishops of the same see.”* The overthrow of the archiepiscopal sees of Canterbury and York, and of all the sees of England is, therefore, one of those measures of “internal government,” which the Roman Catholics acquired a perfect right to effect by the Act of 1829. But the law of England has adopted those sees into itself. The Church of England and its hierarchy are part and parcel of the law of the land. Has then the Act of 1829 repealed the law as it stood before? We cannot have both hierarchies, for we perceive that they of necessity exclude each other. Both cannot be lawful, and either the National Establishment has been cast away by the State, or it is not true that the Act of Parliament in question gave any such right as that contended for.

It is singular that Rome now claims recognition in this country upon grounds, the very absence of which in other sects, makes it perfectly safe to admit them among the “*religiones licitæ*” of the country. I believe it to be true in law that every act or course of conduct which may, upon reasonable evidence, be proved to be designed for, or tend necessarily to overthrow or weaken any part or portion of our Constitution in Church and State, is illegal. The law cannot be supposed to legalize any power or authority at variance with itself. But the “essential features” just commented upon, are provably inconsistent with the religion of the Queen and the State, and with that Protes-

* Vide sup. p. 131.

tantism which is the rule of Her Majesty's duties, and the basis of our political system.

We have no space here to deal with the remonstrances of Mr. Bowyer, founded upon the conduct of Her Majesty's present advisers in Ireland and in the Colonies. I have no intention to anticipate their defence. My business is solely with the law of the land as it stands, and the measures requisite to supply its verbal defects, and to carry out that intent and policy which, though it may have been trammelled in its operation, has been in nowise altered in principle by the acts of the Legislature, or the conduct of the Ministers of the Crown.

Adverting to the strongest point the learned gentleman has made in defence of the new hierarchy, we shall have to make good this proposition. In the Act of the 10 Geo. IV. c. 7, § 24, it is enacted that "Whereas the *right and title* of archbishops of their respective provinces, of bishops of their sees, and deans of their deaneries, as well in England as in Ireland, have been settled and established by law, &c. it shall be unlawful to assume the title of archbishop of any province, bishop of any bishopric, or dean of any deanery, &c." From these words an argument is raised for legalizing the new province and dioceses established by the Bull. It is said by the words "archbishops of their *respective* provinces, bishops of their *respective* bishoprics, and deans of their *respective* deaneries," the existing provinces and dioceses must be alone intended; consequently the enacting part of the clause, which makes it penal to assume the style or title of any of

these dignities in England or Ireland, is restricted to the precise limits of the existing ecclesiastical districts; and that any other divisions of the same aggregate territory, and the titles that may be thereunto appended, although they may comprise the whole of one or more provinces, and actually embrace the entirety of the existing dioceses, deaneries, &c. are by legitimate inference admitted and legalized by the Act. For it is contended, the recital which goes before it, controls and defines the meaning of the enacting part of the clause, restricting it to the *respective* provinces, bishoprics, and deaneries by the law set out and defined; so that any deviation whatever in the name of the see, or the limits of the diocese, makes it another and different title, province, diocese, and deanery from that intended in the penal clause of the Act.

Taking the argument as it stands: we say in reply, that nothing can be more manifest than that no such intent was present in the mind of the Legislature, when the Act in question passed. Parliament with that carelessness, occurring so commonly in our modern statutes, apprehending that the persons then filling the office of vicar of the Bishop of Rome in this country would do the very thing they have done, but not suspecting that there were more ways of doing it than one, thought they had amply provided against the danger and inconvenience of an organized Roman hierarchy in this country, by prohibiting the assumption of the titles of our ancient sees, under the penalty of £100. But this intent has been defeated by the very simple

expedient of shifting the limits of the dioceses, and transferring the sees to towns and places which do not at this moment give title either to archbishop or bishop.

I do not propose to discuss the question, whether the penalty has been incurred or not. But I do mean to affirm that the success of so shallow a trick to evade the manifest intention of the Legislature, can be imputed to no other cause than lukewarmness, ignorance, or political connivance on the part of the framers of this clause. That it was not in the mind of Parliament to legalize this paltry evasion, appears clearly from the preamble to the clause. “And whereas the *right and title* of archbishops of their respective provinces, bishops of their respective bishoprics, and deans of their respective deaneries, have been settled and established by law, &c.” It is therefore not merely the *title*, but the *right and title* that it is intended to protect. But is there a man bold enough to affirm that *that* right is not invaded by the intrusion of another prelate into the same province or diocese, or any part of it? Observe: it is not merely the title but the right,—not merely the right, but the exclusive right that is “established and settled by law;” and as this right cannot be shared with any other persons, it follows that the act of claiming such share, by whatever metes and bounds set out or described, is within the intendment of the clause; though, through the inadvertency just alluded to, the offenders may have escaped the penalties they would otherwise have incurred.

If, therefore, it should turn out that the Romish titulars of Westminster, Liverpool, Birmingham, Beverley, &c. are safe from the penalties of the clause in question, the worst that has happened to us is, that we are for the present thrown back upon the 13th of Elizabeth, which, though mutilated by the Act of 1846, is still operative in principle. Mr. Watson's Act left it in this state; and it has become an imperative duty on our part to demand, and on that of the Legislature to grant the executory powers requisite to carry the principle into effect. It is our duty to call for the protection promised in the clause of the Emancipation Act above referred to—protection for the *rights*, as well as the titles of our archbishops and bishops. The great Protestant communities of this country will not, I am persuaded, permit themselves to be thus miserably trifled with. We demand that the manifest intent and spirit of the law be forthwith adequately vindicated, that a remedy,—an easy inexpensive remedy be enacted, co-extensive with the promise held out; and that the engagement of the legislature to protect both the *rights and titles* of the national hierarchy be redeemed to the letter.

Now before the year 1829, the assumption of the titles of archbishop, bishop, or dean, by any one *not thereunto entitled by law*, was illegal upon two grounds: *First*, it was an invasion of the Queen's prerogative, by taking a title of high honour and dignity, a title borne only by peers of Parliament, a title closely connected with one of the most precious prerogatives of the British Crown, that of

appointing archbishops, bishops, and deans, a title which confers social rank, honorary designations, and precedence in the presence of the Sovereign, as well as in every society in the kingdom; and, *Secondly*, in as much as the law recognised no bishops but those of the Established Church, and secured to them exclusively all the rights, dignities, honours, and possessions annexed to the episcopal rank and title, it was both a direct infraction of the letter, and an invasion of the policy of the law, an open defiance of its spirit and intent to take such titles, or any other in the sole appointment of the Crown.

That all this had before then been done, that Roman Catholic prelates had assumed such titles in England and in Ireland is nothing to the purpose. It amounts to no more than that the law was not put in force against the delinquents. An offence is not the less an offence because it has been connived at. But if before the statute of 1829 it was not only illegal to assume local and territorial jurisdiction, but even to take any episcopal titles whatever, what is there in that statute to empower them to do so now? There are no words in the clause legalizing anything that was illegal before. It does, in fact, no more than annex a penalty to a particular specified breach of the law; it is simply declaratory of the law as to that particular offence; leaving it in other respects precisely as it stood before.

But Mr. Boywer urges that the law maxim "*Expressio unius est exclusio alterius*," operates

here to legalize the whole transaction. Now, the assuming the style and title of archbishop or bishop of any existing province or diocese, is made punishable by a fine of one hundred pounds ; but the Act does not now for the first time make such assumption of title illegal. *It was illegal before* ; and a penalty was annexed merely to give a more ready mode of punishing it ; but this raises no presumption of law, that any other mode of contriving the matter, *e. g.* a new division of the country into provinces and dioceses, differing in their territorial limits from those assigned by law to the Established Church—would legalize the titles now assumed.

In support of his application of the legal maxim above quoted, Mr. Bowyer cites two cases from our Law books.* The real question in both these cases was, whether any other mines than coal mines were rateable to the poor ? It appears that before the 43 Eliz. c. 2. no kind of mines were so rateable ; but that statute made coal mines by name subject to rate, mentioning no others. And upon the general principle that “*Expressio unius est exclusio alterius*,” the court held that all but coal mines were excluded, and therefore not to be rated to the poor. But what if other mines had been rateable before the 43 Eliz., that statute simply omitting to mention any but coal mines, would any lawyer contend for the application of the maxim to such a state

* Gov. and Comp. for smelting lead &c. *v.* Richardson and others : 3 *Burrow's Reports*, p. 1344. *R. v. Cunningham* : 5 East, p. 478.

of things? So in the case before us, the act of taking any episcopal title, whether territorial or otherwise, was illegal before the statute of 1829, and the clause was only intended to declare the penalty for a particular breach of the law, consequently took no notice of others *ejusdem generis*.

“The argument,” says Mr. Bowyer, “drawn from the fact that *the Pope is a foreign prince and potentate*, and that therefore the rights of the nation and the sovereignty of the crown are violated, is worth nothing unless his opponents can shew that the acts of authority in question are *temporal or civil*, as distinguished from acts of spiritual jurisdiction.”

But, to use lawyer’s language, we decline to be thus stated out of court. No doubt if these acts of authority were of a *purely* religious or spiritual character—if they drew after them no civil or political consequences—implied nothing more than what is expressed on the face of them, it would be of no consequence whatever from what source they might proceed. But, in the *first* place, we deny that any organized religious association, consisting of a powerful body of men fully imbued with the principles of their persuasion, ever was or can be so free from political bias and design as Mr. Bowyer’s proposition assumes. Consequently, it is at all times incumbent upon the state or government to be vigilant lest that bias and design acquire a preponderance dangerous to the equilibrium of those political powers and institutions it is the duty of the rulers to maintain. No organized religious association can there-

fore be allowed to withdraw itself from the superintendence and visitation of the state, on the naked plea that it is a merely spiritual body, or its acts of a merely spiritual character. The state will and must enquire into the nature of the jurisdiction claimed.

In the *second* place we observe, as a matter of experience, that civil governments never can behold with indifference a spiritual power independent of the state mastering the consciences of its subjects. For we believe that the vaunted civilization of this our nineteenth century is as little proof against the practices of the simplest priestcraft as any other period of human history. The matter must, indeed, be differently managed now; the process must be more gradual; care must be taken to gild the fetters of conscientious submission; coercion must be avoided as long as possible; a prudent economy of spiritual thunders must be observed; the eye and the ear must be filled; the taste gratified; the senses enthralled; a high value must be set upon devotional impulses, and the outward observances requisite to produce them. And the process must be continued until the soul of man is transferred from the hands of his Saviour to those of his priest. At this stage of conversion no machine is more obedient to the touch of the machinist—no sumpter-beast more eager to do the behests of his driver. When such a power has once fixed its talons firmly in the consciences of men, loyalty, honour, virtue, and every other obligation, civil, political, social or religious,

sinks, fades, and perishes beneath the terrorism of sacerdotal domination.

I have already endeavoured to shew that the acts for which Mr. Bowyer claims the character of purely religious regulation are in their inmost nature measures of a temporal, fully as much as of a spiritual description. It is not denied that they emanate from a foreign temporal prince, and I think I have shewn that the spiritual character with which he is invested is no security to us that his acts will be of that purely spiritual design and tendency we are now called upon to believe they will turn out to be. The law of the land must therefore take upon itself to determine what acts shall be deemed *purely spiritual*; or, if it has not already performed that duty, the legislation must be urged now to fulfil it promptly and effectually. If Parliament shall be of opinion that what no other Christian profession in this country has ever attempted is lawful in the Roman communion—if it shall think that body justified in planting their new hierarchs at the portals of our cathedrals and at the gates of our royal palaces, and by a contemptible law quibble, bearding the bishops of the National Church in their own dioceses; it will at no very distant period be called upon by the Papists to give effect to that opinion, and to accomplish Dr. Doyle's triumphant prophecy. If, hereafter, we should be so irrational as to grumble at these hard terms, the Pope and his friends will open their eyes wide with wonder and astonishment: "What have you to complain of?"—they will ask—

“Have we not told you all along that it is one of the ‘distinctive features’—that it is a ‘fundamental principle’ of our religion that the supremacy of the Pope is exclusive of every other jurisdiction, and that it will not endure two archbishops in one and the same province? When you permitted us to acknowledge the Pope’s supremacy and to establish our hierarchy, you knew all this; and we must therefore presume that you were from that moment prepared to abide by the canonical consequences—that you were ready to abandon your heretical establishment, and to put ours in its place. After pledging yourselves to the adoption of *our* ‘distinctive features’—*our* ‘fundamental principles,’ how can you complain that we insist upon the implied, as well as the express terms of our compact. You were not ignorant that it always was our intention to pull down your Establishment. If you were not idiots the Bull itself must have disclosed that design to you. But if you are dull enough or unfortunate enough to think you have made a blunder, you cannot urge your errors as an argument against the necessary results of your own conduct. You knew that our religious principles prevented us from tolerating such an establishment as yours; why then did you tolerate ours, except it were that you contemplated an unconditional surrender?”

And in fact the power to create archbishoprics and bishoprics is regarded by the Roman canonists as an integral and an essential part of the Pope’s spiritual prerogative. On the other hand, the law of England vests that prerogative solely and ex-

clusively in the crown and the legislature. And if to-morrow an Act of Parliament were to pass establishing bishops in all the towns pitched upon by the Pope for his new hierarchs, every one of the latter would be obliged to drop his title, or for every act of user forfeit £100. Mr. Bowyer would probably in that case contend that the penalty extended only to the taking the titles of the ancient sees of England ; and that it is inapplicable to any subsequently erected sees. If successful in his argument, what an absurd state of things would be introduced ! If any thing were wanting to convince us that the intention of the legislature when it introduced clause 24 into the Emancipation Act has been allowed to be miserably defeated, it is this. For it should be remembered, that it is quite as abhorrent from the principles of the Church of England that there should be two archbishops in the same province, or two bishops in the same diocese, as it is from that of the Church of Rome. Such an arrangement could not, therefore, have been contemplated by the legislature ; yet, if Mr. Bowyer's argument were to prevail, any new bishopricks we might choose to erect would be precisely in the same predicament as that against which Parliament thought it requisite to protect the old sees. No one can, I think, doubt that the clause was intended for the protection of our national hierarchy *as a whole*. But our sagacious lawgivers, losing sight of any future extension becoming necessary, made no provision for such a contingency. This error must be redeemed. If the Protestant people of this country allow another Session of Parliament

to pass over without vigorous remonstrance, they will then be reasonably supposed to have acquiesced in the establishment of the new Popish hierarchy. If their remonstrances are neglected, they will have obtained ample proof that they are betrayed.

Mr. Bowyer's assertion that "the *theological claims* of his church do not affect his argument," and that "those claims belong to the inviolable rights of liberty of conscience, over which no human power can exercise jurisdiction," requires no further reply than that which has been already given to the claim of supremacy. For we cannot understand these "theological" claims to be any other than those of the boundless jurisdiction founded on the theory of the Cathedra Petri; which theory is summed up in the single maxim that—"every human being must be subject to the Roman Pontiff."

We are further taught by the Popish apologist, that "the British Government having diplomatically ignored the Pope, except as sovereign of the Romish states, ought not to complain that his Holiness did not ask a consent that the Crown could not give." We reply, that the Crown in Parliament can do anything; and if we are not much mistaken, the Pope had through his agents quite sufficient opportunity of consulting the official advisers of the Crown, the leaders of the Imperial Parliament, and the most influential members of the party which has hitherto supported itself upon the votes of the Papists in that assembly. At all events, the Acts of 1829 and 1846 must

have held out great encouragement for such an application. But all this is nothing to the purpose, or rather, it can only have been put forward to throw dust in our eyes. If Mr. Bowyer, though but a recent convert, has but superficially studied the scheme, of which he has become the victim and the advocate, he must have known, that if the Queen, without the consent of Parliament was not competent to grant such license, the Pope was by the "fundamental principles" of his church altogether precluded from asking it. He could not ask permission of any human being to do that which he claims a right to do "jure divino," as of his own transcendental prerogative.* And assuredly he shewed no disposition to wait for any such permission.

But a bishop, Mr. Bowyer tells us, is not a title of honour, and therefore not within the prerogative of the Crown. It was not so, he observes, in the Primitive Church; and for this he quotes our Hooker. Again: Cruise on dignities says nothing of bishops; and Selden does not include them among his "titles of honour." But this is empty special-pleading. Let any Roman Catholic gentleman be asked whether he does not regard the title of bishop as conferring upon the possessor the highest rank in his society; whether he does not assign

* See Bull, p. 8, Ed. Rom. Typis Sac. Congreg. de Propag. Fide, p. 8, "Itaque post rem universam a Nobis etiam accurata consideratione perpensam, *motu proprio, certa scientia, ac de plenitudine Apostolicæ Nostræ potestatis*, constituimus ac decernimus, &c."

to him the chief seat at his board and in his drawing-room; whether he does not address him as "Your Grace," or "My Lord;" and whether the bishop in question does not accept such address as rightfully due to his rank and station in society—aye, and whether he does not accept it under as absolute a claim of right, as any prelate of the establishment? We know that he does; and that he only abstains from complaint when it is withheld, because he knows that the claim is illegal, and cannot be enforced. The mere *office* of bishop, no doubt, gives no rank or dignity; but when he assumes or demands the honorary distinctions enjoyed by those bishops, who are either peers of Parliament, or derive them from the appointment of the Crown, they are properly chargeable with an invasion of the royal prerogative.

Let, therefore, the Romish bishops not only drop, but discountenance the attribution of these social distinctions; let Dr. Wiseman publish another Pastoral, repudiating for himself and his so-called suffragans, the address of "Your Grace," and "My Lord," and we shall cease to charge either him or his friends with this peculiar infraction of the Queen's prerogative. Considering, moreover, that this prerogative forms a very important link in that chain which connects our Queen with the intimate relations of private society, we are bound by our respect and allegiance to her, as the sole source of social honours, to watch with jealousy the unauthorized assumption of any rank or title whatever; but more especially such as connect themselves with offices

and functions conferring great power and influence in society.

That occasional breaches of this prerogative are tolerated or connived at, is often attributable to an unwillingness to interfere needlessly with the courtesies of society. But when she apprehends either danger or inconvenience from this irregular practice, it would be puerile to contend, that Her Majesty has not a full right to put an end to it, and to call upon her subjects *by proclamation* to abstain from the like error in future.

Our Roman Catholic advocate, "by authority," further urges, that the admission of Roman Archbishops and Bishops into the American Republic, shews that the Government of that country understands the spiritual character of their ecclesiastical offices better than we do in England; and, therefore, never regarded their introduction as a violation of the constitution, or an invasion of the sovereignty of the people. But this is beside the question at issue. In this country the contest lies—in the first instance at least—between the Church of England and the Church of Rome. The Republicans of America have no national church; they have no specific religious system to defend; they have renounced the hallowing influence of religion upon their state establishments; and they have thrown the gates wide open for the reception of every variety of religion, superstition, or fanaticism that might turn up; we have closed ours to a competition which we believe to be injurious to the best interests of religion

and society. Their government acknowledges no dignities, and treats the assumption of rank and title with neglect or contempt. Our constitution not only admits and honours them, but places them under the guardianship of the law, and makes it illegal to assume them without the licence of the crown. If America chooses to run the risk of such practices, it is all but absurd to insist upon this as an argument imperative upon us, who have a very different system to uphold.

From Mr. Bowyer's manifesto, we perceive that we shall have to defend our position not against direct but collateral attacks—against objections derived rather from real or supposed inconsistencies in our own conduct, than from the inherent weakness of our cause. The Roman Catholic advocates well know that unless they can get rid of the two objections to their scheme upon which we rely, viz. that it proceeds from a foreign prince, whose jurisdiction within these realms the law expressly denies and repudiates; and, secondly, that the system he has attempted to introduce, though ecclesiastical in name, is in its nature temporal and political, they can make no impression upon the main body of our defences. Supposing it to be true—which we altogether deny—that there are some anomalies in our own conduct, say with reference to the establishment of a Bishop at Jerusalem, or at Malta, or in Canada, (where Mr. Bowyer tells us there were Roman Catholic Bishops before,) we deny that any oversights of this kind can vary the character of the

new hierarchy, or that they are of any force to alter the law of England, or to commit the people to acquiescence in the dangerous and unconstitutional design of the Papists. These supposed anomalies have been answered over and over again. We shall, therefore, content ourselves with referring the reader to the public newspapers, in which such objections have been discussed and answered.

We do, however, repeat, in reply to a statement at p. 30 of his pamphlet, that the "Cardinal Archbishop of Westminster" is set over Roman Catholics only. The terms and ordinances of the Papal Bull are in direct contradiction to this assertion. The commentaries of Dr. Wiseman, Dr. Newman, Dr. Doyle, and Dr. Gillies, and the organ of the ultra Papal party in France, the 'Univers,' prove in the plainest terms that the first of these gentlemen is set over the whole kingdom of England, without distinction of Roman Catholics or Protestants—universal jurisdiction is plainly claimed; and if we wanted a practical commentary upon the drift of Romanism in this country we have it in the daily conduct of the Romish hierarchy in Ireland, where, for twenty years past, the M'Hales, *et id genus omne*, have been the greatest political agitators; the prime movers and supporters of the Repeal movement, the leaders of political mobs, and the main obstacles to the restoration of civil tranquillity in that distracted country. These persons have never ceased to appeal to the universality of the jurisdiction they exercise in the name of their Church and its head. They have, on that principle, thwarted every effort of Government

for the education of the wretched people and the improvement of their condition.

There is no part of his subject Mr. Bowyer labours so hard as this about the Bishops of Gibraltar and Jerusalem. But all this, we contend, is beside the real question. That question we take to be simply whether we have, by the Act, 5 Vict. c. 6, set up arbitrarily, and without the consent of the governments of the countries in which they are permitted to act, spiritual officers, with powers, jurisdictions, rank, title, and territorial authority, inconsistent with the character and attributes of the governments and people among whom they are settled and within which they are allowed to act? If Mr. Bowyer can persuade any rational being that we have done all this, let him have the benefit of his convert.

I have now laid bare the position assumed by Mr. Bowyer on behalf, and "by the authority," of his Church in all material points. Time does not permit the discussion of a great variety of topics connected with our subject—topics which would no doubt render the discussion far more complete, and tend to dissipate many shadows which still hang about our position and prospects. But I must take my stand upon what has been already said, and conclude with a short synopsis of statements and inferences, together with one or two suggestions as to the remedies it is at this stage of the controversy incumbent upon us to call for at the hands of the legislature.

§. 13. *Synoptical Statement.*

The facts, then, of our case as laid before you in the preceding pages, are shortly the following :

1. There has been of late years, a very marked increase of Romanism and Romanizing teachers in England.

2. The proximate cause of this increase is twofold : 1. A giddy love of novelty, stimulated by the shows, the pageants, and the seductive conversation of the Papists operating upon the carnal and unspiritual mind of the vast mass of our travelled countrymen and women.—2. The extravagant sacerdotal ambition which has of late years become so strongly developed in the minds of the junior clergy of the Establishment, pushing them by little and little, from Tract No. 1 to Tract No. 90, into the arms of Rome; where they found a welcome refuge against all their disappointments and disgusts.

3. Almost contemporaneously with this movement among our own clergy, the missionary hierarchs of Rome in this country because dissatisfied with their condition, and petitioned the Pope to emancipate them from their immediate dependence upon himself, and to raise them to the rank and station of a canonical establishment. The Pope, at that moment, distressed by the disesteem into which his political and religious government at home had fallen, hesitated for a time ; but, in conformity with the practice of his predecessors in times past, when politically weakest at home, to avail themselves to the utmost of their spiritual influence abroad, and

doubtless allured by the prospect of adding this glorious Empire to the list of the spiritual—perhaps of the temporal—appendages of his ecclesiastical state, he acceded to the petitions of his Bishops in England and in Scotland, and issued the Bull “*Universalis Ecclesiæ*,” erecting the “kingdom of England” into an hierarchical department of his spiritual empire.

4. For the purpose of carrying this measure into effect, he enacted, *formally and legislatively*, a new territorial division of the so-called “kingdom of England,” an act in its very nature political, whatever may have been the purpose it was intended to answer. And all this was done, not only without consulting the Queen, the legislature, or the law of the land, but in words studiously selected to exclude all authority or participation but his own; it was accomplished “*Motu proprio, certa scientia, ac de plenitudine Apostolicæ Nostræ potestatis.*” By this announcement, the people of this country were officially informed that the “Apostolic power” in question was competent to the performance of any political operation that the Pope might deem necessary to the fulfilment of his spiritual purpose.

5. The gauntlet thus thrown down to us, the Protestant government and people of this country, it was requisite that we should reflect upon the true nature of our position, and among other considerations, advert to the disadvantages to ourselves, and the use our adversaries might make of the recent multitudinous *immigration of Irish Roman Catholics* into this country, the *progress made by*

the Romish missionaries and their converts among the lowest and most ignorant portions of our own population; the existence in Ireland of a Popish hierarchy, exercising boundless influence over a semi-barbarous majority, and possessed with a fanatical and vindictive hatred towards the Protestant Government, churches, and people of that country; the "*heavy blow and serious discouragement*" awhile ago inflicted by our legislature by the *abolition of twelve Protestant bishoprics*, thereby turning their backs upon their own profession, and yielding the field to their religious adversary; the *sanction* given to the *illegal assumption of episcopal titles* by the Irish hierarchs, and the *voluntary concessions of precedence* to the Roman Catholic Bishops in our colonies by the ministers of the crown.

6. The Church of England, being the Protestant body against which the first attack is levelled, claims the united efforts of all denominations of Protestants,—not to support her peculiar form of church government, but,—for the defence of the law of the land, the prerogative of the crown, and the religious liberties of the great majority of the people.

7. But as the *Queen's supremacy* is selected by our adversary as the weak point of our ecclesiastical position, it becomes us to acquire a more accurate knowledge of the law and practice of the constitution upon this subject; and inasmuch as it must be our fixed determination to uphold, improve, and abide by the ancient principles upon which the whole fabric of our civil and religious liberties is

erected, we declined all foreign or adventitious precept or example in arriving at our conclusion, abjuring and excluding all precedents but such as may be clearly exhibited in, or be identifiable with that same constitution, law, and practice of England.

8. We therefore ascertained that the kings of this country have from all time claimed and exercised *external* jurisdiction in and over the Church of England, and that for a long period of our history the law and crown of this country maintained, and at length brought to a successful close, the desperate struggle with Roman Canonism, a foreign law, introduced by a foreign prince, for his own temporal aggrandizement, against the best interests of the country, and against the will of the people, the legislature, and the legal tribunals of the land.

9. Our short glance at the state of the law as it stood at the close of this struggle, shewed further that, although the general principle of law excluding Papal interference, religious or political, in this country has been allowed to stand, yet that it has been so stripped of all executive power as to have become almost useless as a protection against Romish aggression, and well nigh incapable of defending itself against the ultramontane sophistry of the Canonists. This state of things must therefore be remedied, and our legislators must be called upon to choose their part between the principle and its enemies. This will at all events disclose to us our real position, and probably suggest remedies

which, for the present, perhaps, we had better not anticipate.

10. Under the presumption that this state of the law would oppose no serious obstacle to the contemplated *coup d'état*, the Papal Bull was issued, brought into this country, and published in the cheapest of all forms, with a view to give it the most extensive circulation among *all classes* of her Majesty's subjects. This instrument is drawn up in a *genuine legislative form*; it acknowledges no authority, asks for no sanction, proceeds upon no principle but that of a transcendental irresponsible power, lodged in the hands of a foreign prince, entitling him to command the unqualified obedience of all mankind, without distinction of race, nation, religion, or government. It ignores, passes by as if they had no existence, Queen, and Government, Church and State, religious bodies and associations of every kind: with studied ingenuity all recognition of the state of the law, or the religious condition subsisting since the Reformation, is avoided—a territorial denomination long since abolished by law, is significantly adopted—three centuries, and those the most glorious and prosperous of our history, are blotted out of ecclesiastical memory, and we are forcibly carried back to an age of comparative darkness, superstition, and tyranny to obtain a glimpse of the principle upon which the “re-edified” church is henceforward to be governed. We therefore go back to the point of time to which the Pope himself has conducted us; we examine the principles in question, and find

their "essential features," their "distinguishing attributes," to be, intolerance in religion, temporal ambition, transcending all worldly might, majesty, or dominion, manifest incompatibility with social honesty, integrity, and good faith, and inconsistency with the existence of civil or religious liberty in the world.

11. After expounding the Bull by itself, and with the aids to which the instrument itself refers us, we went on to consider how it had been interpreted by those who procured it, and are now engaged in carrying it into execution. And we find in their public addresses and writings all our previous inferences confirmed to the letter. Almost every line of these performances is stamped with the impress of ultramontane canonism, leaving no doubt upon our minds that nothing short of an absolute submission of conscience, and with it, of all religious rights, (with just such a chance for our civil liberties as may remain, after the surrender of our will and conscience to the absolute disposal of a foreign priest,) will be accepted in satisfaction of the fictitious bond now put in suit against us.

12. In the last place we adverted to the legal arguments of the advocate selected by Dr. Wiseman and his associates, and submitted that the inferences he draws from the 10th Geo. IV. c. 7, § 24, and the oath in that statute prescribed to be taken by Roman Catholics, are untenable in law. We contended that his protest against inference from the "spirit of the law" is without foundation, and

amounts to no more than an attempt to persuade us to consent to be cheated with our eyes open ; so that in calling upon our legislature to correct a blunder of their predecessors, we do not ask them to make an *ex post-facto* law, but simply to arm the law, as it stands, with the powers necessary to maintain itself. The 24th clause of the “Emancipation Act” was, we say, intended to protect the RIGHT as well as the title of the national hierarchy ; but, by a palpable oversight, the latter object only was effected ; and we now say to them, “Do both effectually ; perform your promise ; rectify this clause, and obliterate from the Statute-book every vestige of recognition from which an inference favourable to the pretensions of the Roman hierarchs could be drawn. For thus also has the Pope of Rome dealt with you. He is a dangerous acquaintance ; *you must not know him* ; you have no chance against him in spiritual diplomacy ; you are plain men, and nothing but plain dealing can sustain you against that artillery of knavery and guile, in the use of which he has the advantage of many centuries of familiar practice.”

§. 14. *Remedial Suggestions.*

Under all these considerations, the great question arises—how are we to reconcile the safety of our national religious edifice, with the maintenance of the civil rights of the Pope’s spiritual subjects within these kingdoms ? The difficulty is considerable, and under many conceivable circumstances may become insurmountable. But the difficulty is of

their own making. They *were* safe ; they lived and worshipped in peace and honour amongst us ; the thought of molesting them was abhorrent to us ; but the ambition of their leaders put an end to this desirable relation, and opened the old sores afresh. The sword of religious strife has been unsheathed, and neither party can now withdraw with honour from the contest. Still the Papists know that *their* faith is in no danger from the carnal weapon in our hands ; this we have for the last thirty or forty years proclaimed from our housetops ; but beyond all doubt, *ours* would not be permitted to subsist one moment after that weapon should be transferred from our possession to theirs. Our position is, therefore, in the strictest sense *defensive* ; and, until some new phasis of the contest shall make a different set of measures necessary, our efforts must be confined to the steps requisite to reduce the Roman communion in this country as nearly as may be to the position they held before the publication of the Pope's Bull.

With this view I take leave to call the attention of the Protestants of this country to the following scheme of resistance to the project of the Pope and Dr. Wiseman.

I should propose early in the ensuing session of Parliament, that a bill be brought in to declare and amend the laws relating to the ministers and persons professing the Roman Catholic religion ; and that it should contain among others the following provisions :—

1. Reciting as a matter of experience, that when

religious or other associations, bodies and professions, are mentioned in acts of Parliament *by name*, a danger arises that the name may be mistaken for the thing itself, and that by some ambiguity of language the law may be made to legalize or establish that which it only intended to describe; and that for this reason the Acts of the 10 Geo. IV. c. 7, and the 9 & 10 Vict. c. 59, require such explanation, and amendments as may effectually rebut every presumption of law that might be drawn from the words of those acts, tending to legalize, establish or endow the persons acting as ministers of the Roman Catholic religion, with any privileges, rank, title, or precedence, ecclesiastical, civil, or social, whatsoever: it be enacted that wherever in any act or acts of Parliament, any names or descriptions of such associations, bodies or professions, or any titles or distinctive designations, ecclesiastical or civil, are named or specified, such titles, designations, or names, shall hereafter be taken and deemed in law to be simply descriptive, and not as implying any legal or legislative recognition, right or title, or as conferring any honorary, social, ecclesiastical, civil, or political precedence, rank, or privilege, other than those which the same persons, associations, bodies, or professions, do and have heretofore enjoyed in common with all Her Majesty's subjects.

2. Reciting that whereas during the late recess of Parliament, the Bishop of Rome has through his agents in this country, illegally issued and published in Great Britain, a certain printed paper or instrument, commonly called a Bull, in Latin,

entitled, “ Letters Apostolical of our Most Holy Lord, Pope Pius IX. by which the Episcopal Hierarchy is restored in England ;” and whereas, by an act passed in the 13th year of Queen Elizabeth, entitled, &c. it is enacted that if any person shall obtain from the Bishop of Rome any manner of bull, writing or instrument, written or printed, containing any thing, matter or cause whatsoever ; or shall publish, or by any means put in ure any such bull, writing, or instrument, he, his procurers, abettors, and counsellors to the fact and committing of the said offence, being attainted according to the course of the laws of this realm, shall be adjudged *guilty of high treason* ; and all aiders, comforters, and maintainers of any of the said offenders, after the committing of the said offences, &c. shall incur *a præmunire* ;” and whereas by an Act passed in the 9th and 10th years of Her present Majesty, entitled, &c. the penalties for the said offences have been repealed,* be it enacted, that from and after the passing of this Act, every person who shall obtain, &c. [following the words of the Stat. of Eliz.] or shall publish, &c. any such Bull, &c. ; he, his procurers, &c. being thereof legally convicted, shall for every such offence incur a fine of not more than £1,000, and not less than £100, and be committed to prison for the term of one month, provided that within one month from the date of conviction it shall be lawful for Her Majesty in council to order and direct the said offender to be carried and

* See pp. 88, 89.

conveyed to any parts beyond seas out of Her Majesty's dominions, there to abide, &c. until it shall please Her Majesty to revoke the said order of banishment.

A provision should be added for the punishment of persons so banished, who shall be found within the realm without the Queen's licence.

3. The 24th section of the 10 Geo. IV. c. 7, should be carried out in conformity with its true intent and meaning, so as to protect not only the *titles*, but the *rights* of the national hierarchy, by declaring the Papal division of the kingdom into ecclesiastical districts unknown to the law to be illegal, and by quashing the same; as well as, by extending the penalty of that section to any public assumption of ecclesiastical title or titular jurisdiction *within* the legal dioceses, or any part or portion thereof.

4. The Government officials having thought proper, in the Commission issued under the Charitable Bequests Bill, to yield to the Roman Catholic prelates in Ireland, associated in that Commission, the style and title of Archbishops, and to give them precedence above an Earl, I should suggest a petition to the Queen that this mistake of the Irish Government should be rectified, by inserting in the Commission, in lieu of the title, such simple designations as "Dr. Cullen," "Dr. Murray, &c."*

* Nothing, I conceive, more fully proves the necessity of the *first* of the measures I have ventured to propose, than the attempt of Mr. Bowyer to confound the "Government" with the *governors* of Ireland; "The style and

5. The Pope having in his Bull studiously severed the "Church of England" from the "Church of Ireland," it is our duty to convince him that the drift of this part of his scheme is as well understood as the rest. We perceive in it a manifest, though latent, contradiction to the legislative union of the Established Churches. It is therefore suggested that all remedial measures must embrace Ireland as well as Great Britain. If we were put to our election between the dissolution of the Union and the severance of the ecclesiastical polities of the two divisions of the Empire, it would vastly puzzle us which to choose. What is law in England *must* be law in Ireland; neither the prerogative of the Crown, nor the Union of the two countries, can be maintained, if what is right here be wrong there, or the reverse. Much of what has been done in that country is in every sense illegal and impolitic. We *must* retrace our steps; and we must do so in a manner, and to such an extent, as shall convince our adversaries in that country that we are as firmly determined to maintain the union of the two Churches as of the two islands; and that furtive recognitions of Romish usurpations, repulsive to the common sense of the people, and contrary to

title," he tells us (p. 14 of his pamphlet), "of the Irish Catholic prelates has been recognized by the *Government* in the Commission issued under the Charitable Bequests Act." If, instead of "Government," he had put "governors" of Ireland, his inference would not have been worth a pin. This is not honest. Mr. Bowyer is too good a canonist to be quite fair.

the law and policy of the Empire, are no longer to be picked up in the by-ways of a shifty administration, or in the thickets of legal quibble.

The measures above sketched are with the utmost diffidence recommended to the attention of my Protestant fellow-countrymen. Much more time would be required than that which remains before the meeting of Parliament to correct and reduce them into proper form. No man can have felt the difficulty of legislating for the present crisis more acutely than myself. No one among the numberless addressers, writers, correspondents, or speech-makers has yet ventured to propose any specific remedy. Of what I have here proposed I say "*valeat quantum.*" If it do but furnish a hint for abler heads and readier pens than mine, it will have amply answered my purpose.

In conclusion, permit me to observe, that neither my Protestant nor my Roman Catholic fellow-countrymen possess any adequate knowledge of the true spirit of Popery. To the Romanist I should say,—“Peruse the exordium to one of your own periodicals for this month, and learn, what I trust—nay, I am sure, many of you never dreamt of before.” To the Protestant I would say,—“Do the like, and then—look to your throat!”*

* See ‘Morning Herald’ of Saturday, Jan. 11, 1851.

THE END.

INTRODUCTORY LECTURES
ON
THE STUDY OF HISTORY,
BY
THOMAS GREENWOOD, Esq.



In the Press, and shortly will be Published, in 4to.,

BOOK THE FIRST

OF THE

HISTORY OF THE GERMANS.

BY

THOMAS GREENWOOD, ESQ.

1. THE Work announced above was originally intended as an Introductory Essay to the History of Modern Germany. But the author soon perceived that the Barbaric Ages contained the key to many important explanations, and that, without a much more detailed account of that preliminary period than was at first contemplated, the history itself must be deficient both in fulness and perspicuity.

2. Each successive consideration of the subject having suggested various alterations and additions, and enforced the necessity of a more extensive and elaborate treatment, the work has been, in most of its parts, wholly re-cast and re-written; and it may now be stated, in general terms, that it embraces,—The Downfall of the Roman system of Civilization and Polity; and the rudiments of those Institutions and forms of Government which constitute the original material, and in some respects the very framework, of the social structure in modern Europe.

3. The author does not think that, by selecting so wide a field of inquiry, he has rendered himself liable to the charge of departing from the subject proposed in his title; though he is fully sensible that he has exposed himself to the danger of overrating his own powers. But he saw no middle course, and, therefore, ventures to abide the judgment of the public both upon the propriety of the plan, and the sufficiency of the execution.

4. The first seven chapters comprise the history of the Barbaric Tribes congregated upon the northern and north-eastern frontiers of the Roman Empire—a chain of nations extending from the Tanais and the Palus Mæotis to the German Ocean;—the wars of Marius, Cæsar, Drusus, Varus, Germanicus, M. Aurelius, Maximin, Aurelian, Probus, Constantine, Julian and Valentinian I. in Germany. With a view to obtain a comprehensive notion of the connexion between the subject of the narrative and the history of the Fall of the Western Empire, it has been thought expedient to append to the eighth chapter a short review of those *internal* causes of decay which had been, for many ages past, seconding the attacks of the foreign enemy whose history this work professes to recount. This synopsis is followed by an account of the first inundation of the Barbaric Nations, which took place in the year 407, commonly called “The Great Migration,”—the conquest of Gaul, the abandonment of Britain, the loss of Spain and Africa, the invasion of Italy by Alaric, the first sack of Rome, the settlement of the Visigothic Nation in Spain and southern Gaul, and of the Franks in the northern regions of the latter country.

5. The rise, progress, and temporary successes of the Hunnic Nation are next adverted to with a particularity justified, as the author believes,

History of the Germans.

by the great effects produced by the intrusion of that extraordinary race among the barbaric elements of the future population of Europe. The dissolution of the Empire of Attila sent forth a cloud of nations destined to effect the final dismemberment of the Empire of the West, and to share the fragments among them. To that point each separate swarm may be traced back with the greatest certainty; and for that reason it has been thought necessary to draw the reader's attention to the juncture in question with the greater minuteness.

6. The progress of the Frankish nations introduces us to the next great series of events. The period in contemplation exhibits the total extinction of the Roman dominion in Gaul,—the overthrow of the Roman institutions,—and the first steps in that important revolution in the character of property in land, out of which arose, in the first instance, the system of “Benefices,” and subsequently that of “Feuds.”

7. Within the same period falls the expiring effort of that migratory spirit which had hitherto distinguished the Germanic nations. The Longobardi became the lords of Italy; and Pope Gregory the Great laid the foundation of a spiritual dominion which, concurrently with the spirit of feudalism, determined the direction of all great political events during the middle ages.

8. The last subject in the volume embraces the progress of Christianity, and the establishment of the Papal authority in France and Germany,—the rudiments, in short, of that great spiritual monarchy which in process of time comprehended nearly the whole of Europe. This subject presents us with a proper *terminus* for the first book of the History of the Germans. The influence of the Church contributed mainly to the exaltation of the Carlovingian family to the throne of France and Germany, and the revival of the empire of the West, in the person of Charles the Great, more commonly called Charlemagne. This incident, it is thought, affords a more convenient close of ancient history, and a fitter commencement for that of the middle ages, than the *terminus* more commonly adopted.

9. It will be seen, therefore, that the period comprised within this *First Book* extends over nearly nine centuries of time, commencing with the first irruption of the Teutones and Cimbri, in the year 113 B.C. and closing with the ~~accession of Charles the Great~~ ^{as of the Kings} 776. It has been, however, thought proper to reserve the actual History of the revival of the Western Empire in the year 800, for the next Book; in order that an event of such paramount importance to the right historical exposition of the subsequent period may not stand disconnected from it, and likewise in order not to break in upon the History of the Political Life of Charles the Great, which is necessarily reserved for the following Book. But the circumstances which led to that event are traced out, and the event itself is distinctly pointed to at the close of the Volume.

10. The whole of this long period it is proposed—with reference to the History of the Germans—to distinguish by the name of the “Barbaric Period.” Not only every material matter of fact, but also of opinion, or criticism,—other than those for which the author may fairly take credit to himself,—is accompanied with a citation of the authority from which it is derived.

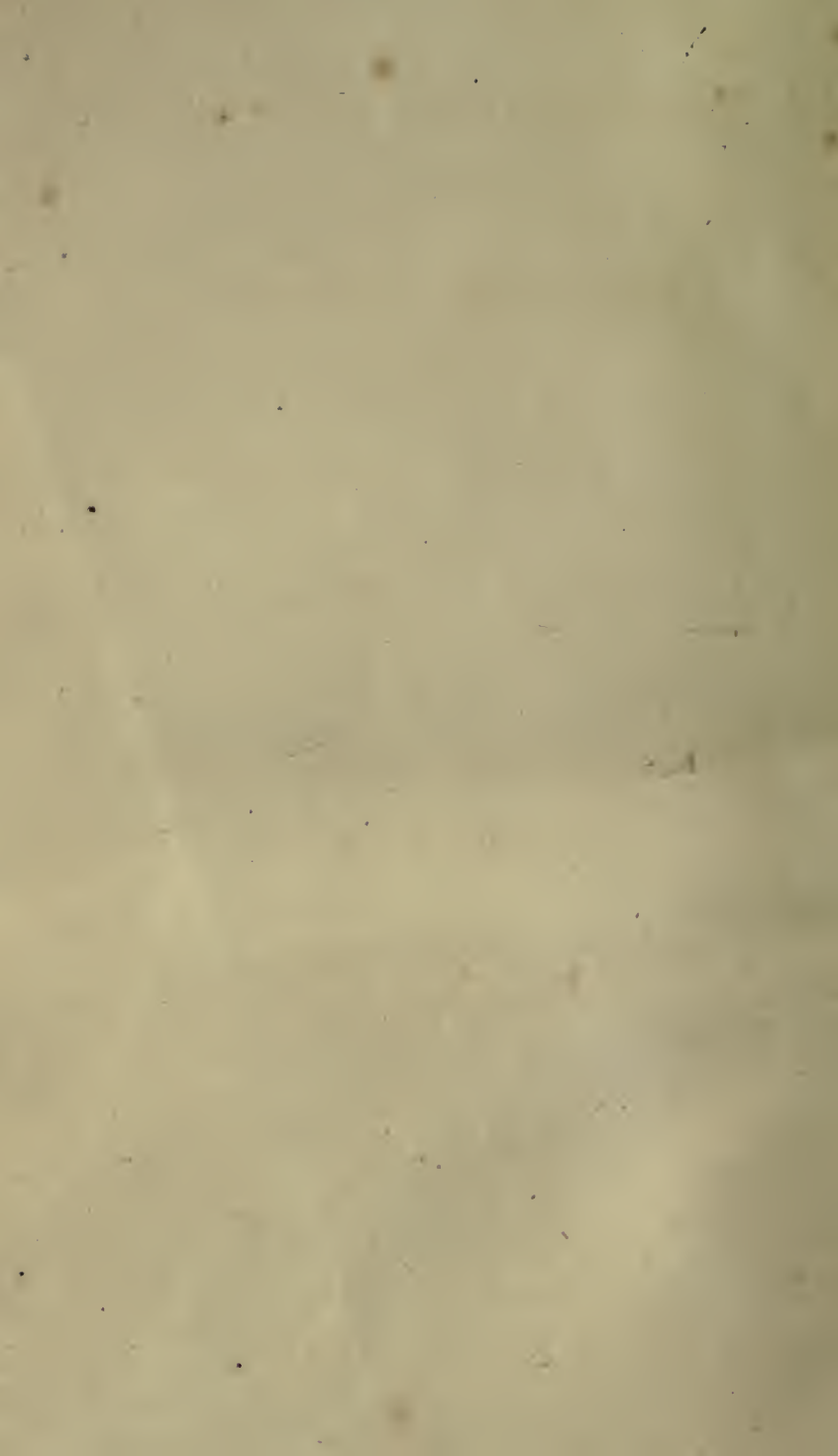
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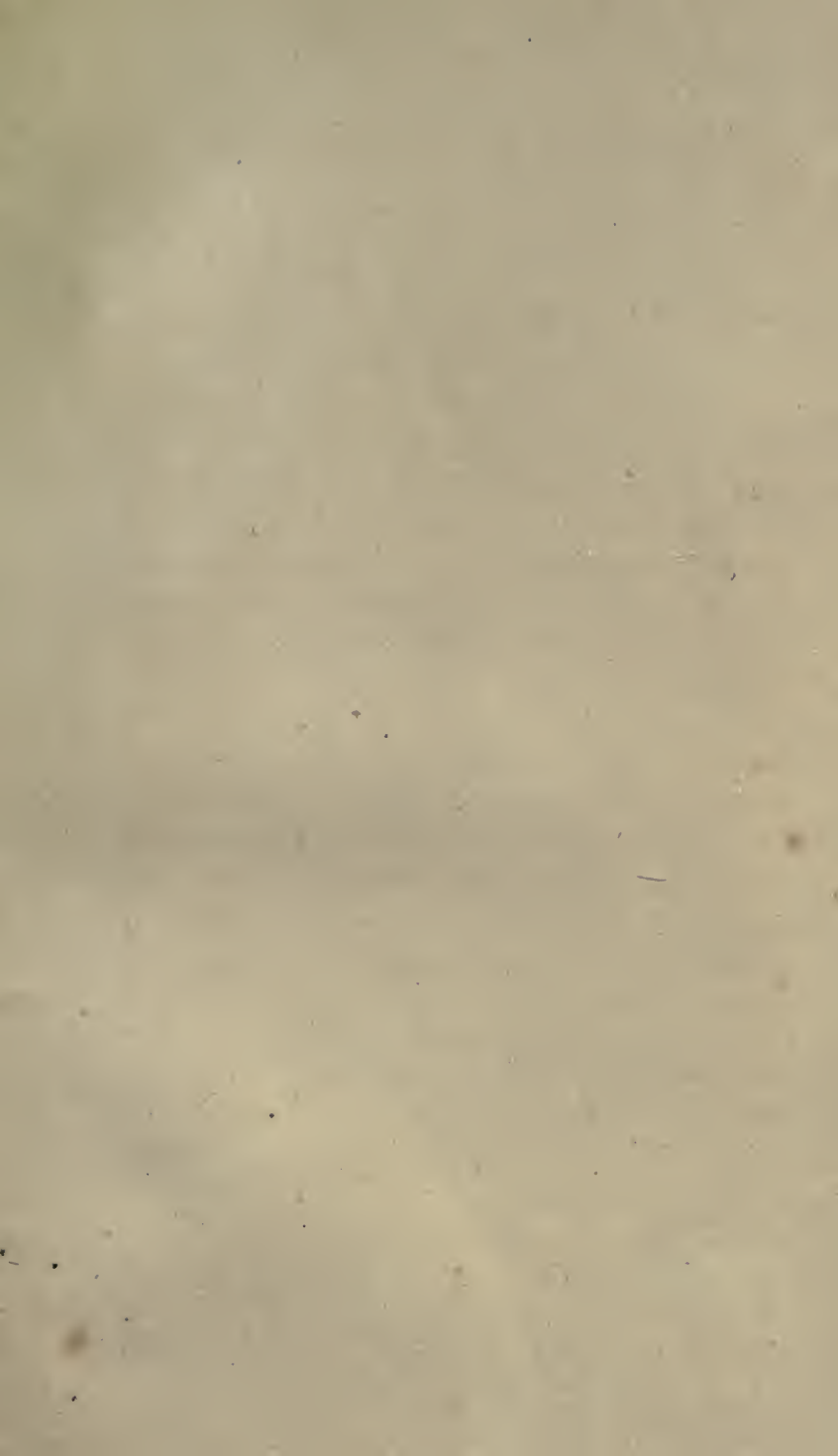
POSITION AND PROSPECTS
OF THE
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Great Britain and Ireland,
WITH REFERENCE
TO THE PROPOSED ESTABLISHMENT OF A
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